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International trade and development

Report of the Secretary-General

Summary

Actions to translate Agenda 2030 for Sustainable Development into reality will be an important task ahead for the international community. The fourteenth session of the United Nations Conference on Trade and Development (UNCTAD), held from 17 to 22 July 2016, in Nairobi, has forged an international consensus in this regard. While trade is a key enabler of Sustainable Development Goals, it needs to be supported by deliberate policy actions and global partnership. Multilateralism remains a global public good to be supported and upheld to create an enabling environment for sustainable development. A universal, rules-based, open, non-discriminatory and equitable multilateral trading system remains an integral part of the global partnership for sustainable development. It is important to align that system with the universal imperatives enunciated in the Sustainable Development Goals. The present report has been prepared by UNCTAD pursuant to paragraph 5 of General Assembly resolution 70/187.

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I. Introduction

1. International trade is expected to act as an enabler of the transformative shifts to realize the 17 goals and 169 targets under the Sustainable Development Goals and the commitments made in the Addis Ababa Action Agenda for Financing for Development, adopted at the Third International Conference on Financing for Development, held in 2015. However, harnessing the potential of trade calls for deliberate policy actions and global partnership. Within the United Nations system, UNCTAD serves as the focal point for the integrated treatment of trade and development, and interrelated areas of finance, technology, investment and sustainable development. Its quadrennial Ministerial meeting, the fourteenth session of UNCTAD, held from 17 to 22 July 2016, in Nairobi, as the first United Nations Ministerial Conference of the post-2015 development agenda, has forged a global consensus on major action lines that are essential for the achievement of Sustainable Development Goals capitalizing on the role of trade.[1] Reinvigorating the multilateral trading system with a strengthened development focus and with renewed momentum and relevance is an essential component of such a global action agenda, particularly towards the implementation of Goal 17 of the Sustainable Development Goals on revitalizing the global partnership for sustainable development.

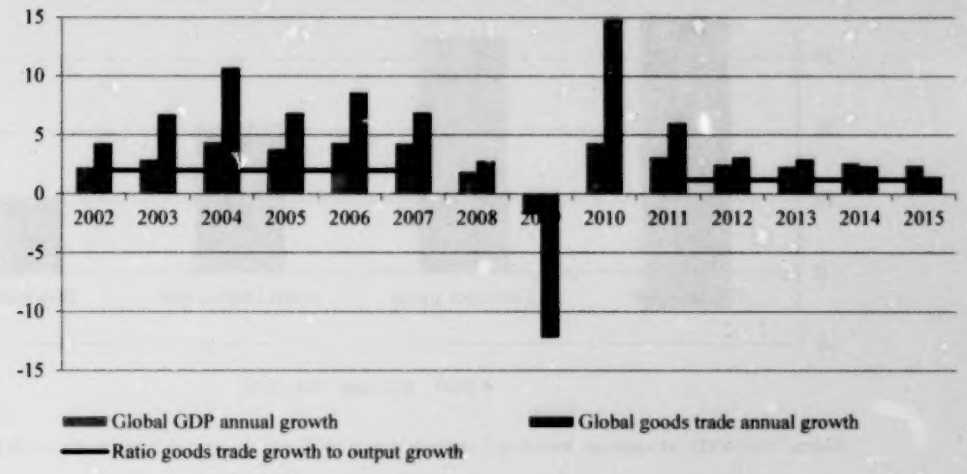
II. Trends in international trade and development

2. International trade has decelerated markedly in recent years. In 2015, world merchandise trade volume expanded at a very modest pace of 1.5 per cent, the slowest since the global crisis. For the period between 2012 and 2015, the annual growth rate in global goods trade remained below 3.1 per cent (see figure I). The World Trade Organization projected a continued slow growth rate of below 3 per cent in 2016. The slow pace of trade expansion reflects that of the global economy. While slow output growth in major developed economies was the major contributor to weak global import and demand previously, declining import volume in emerging economies became more apparent in 2014-2015, indicating that their economies are not decoupled with the global economic slowdown. The import slowdown in China is estimated to represent one third of the slowdown in non-Organization of Economic Cooperation and Development (OECD) import volume growth between 2014 and 2015.[2] Going forward, the renewed impetus is expected to come from developed economies in the coming years, particularly Western Europe. However, the expected exit of the United Kingdom from the European Union, an economy accounting for 16 per cent of the gross domestic product (GDP) of the European Union, has cast uncertainty over the regional and global economic outlook.

[1] United Nations Conference on Trade and Development, *Nairobi Maafikiano and Nairobi Azimio*, 2016.

[2] Organization for Economic Cooperation and Development, *OECD Economic Outlook*, Issue 1 (Paris, 2015).

Figure I
Growth in world merchandise exports and GDP in volume terms, 2002-2015
(*in percentage and ratio*)

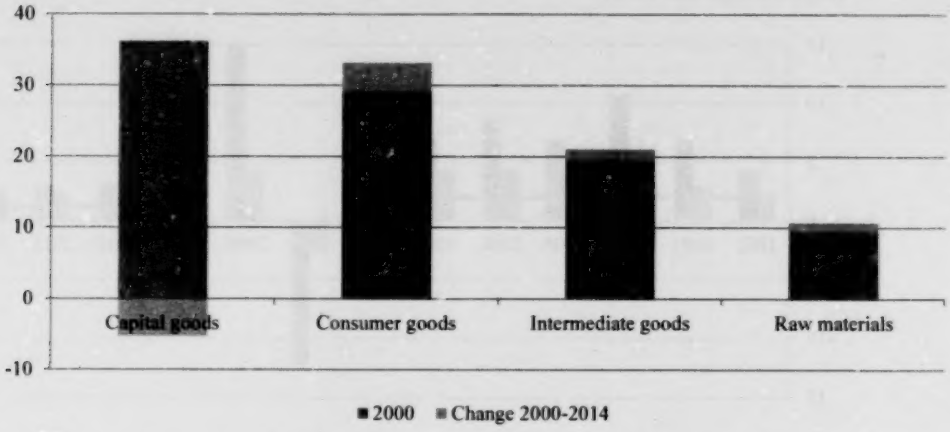


Source: UNCTADstat, national sources and Department of Economic and Social Affairs.

3. Although trade grew twice as fast as output before the global crisis, there has been a marked slowdown in trade growth relative to GDP growth since the crisis, with the ratio of trade growth to GDP growth falling from 2:1 before the crisis to 1:1 for the period 2012 to 2015. While cyclical factors were at play and its significance should not be overemphasized, several factors may have contributed to such a decrease in trade responsiveness to output growth (see figure I). One possible explanation relates to the deceleration of global value chains activity. First, some major players have increasingly sourced inputs domestically reflecting some reindustrialization efforts.[3] Secondly, weak investment growth may have translated into a decrease in the share of capital goods in total exports while consumer goods, with lower import content, somewhat increased their share (see figure II). Another factor is the slow recovery of most large European economies as those economies represent a larger share in total trade than in global GDP.

[3] See, for instance, Cristina Constantinescu, Aaditya Mattoo and Michele Ruta, "The global trade slowdown: cyclical or structural?", Policy Research Working Paper, No. 7158 (World Bank, 2015). Available from http://documents.worldbank.org/curated/en/991561468127799318/The-global-trade-slowdown-cyclical-or-structural.

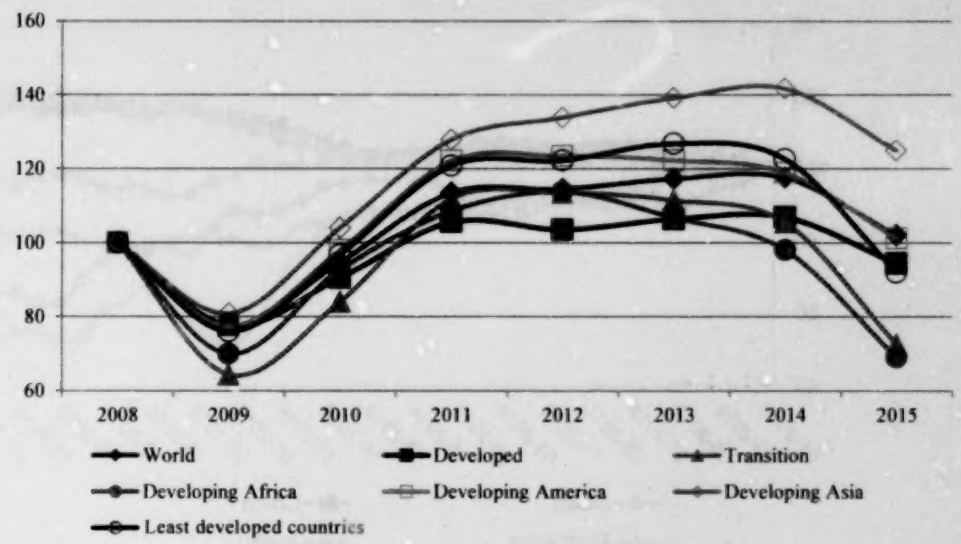
Figure II
Global exports by product group, 2000 and 2014 (*in percentage*)



Source: UNCTAD calculations, based on Comtrade data from World Integrated Trade Solution (WITS).

4. In value terms, world trade in both goods and services contracted in 2015 for the first time since the global crisis. The nominal value of world merchandise exports dropped from $19 trillion in 2014 to $16.5 trillion in 2015, a decrease of over 13 per cent. This is because, while the world trade growth decelerated in volume terms, the depreciation of major currencies against the United States dollar led to the decrease in dollar-denominated trade value and a significant fall in commodity prices, in particular mineral fuels reduced the value of commodity exports. There is a considerable variation across regions (see figure III). While all groups saw their exports contract in 2015, the largest drop was registered in transition economies, by above 30 per cent, owing mainly to the fall in fuel and commodity prices. Least developed countries and Africa were also severely affected given their dependence of primary commodity exports.

Figure III
Merchandise exports by region and development status, 2008-2015 (*2008=100*)

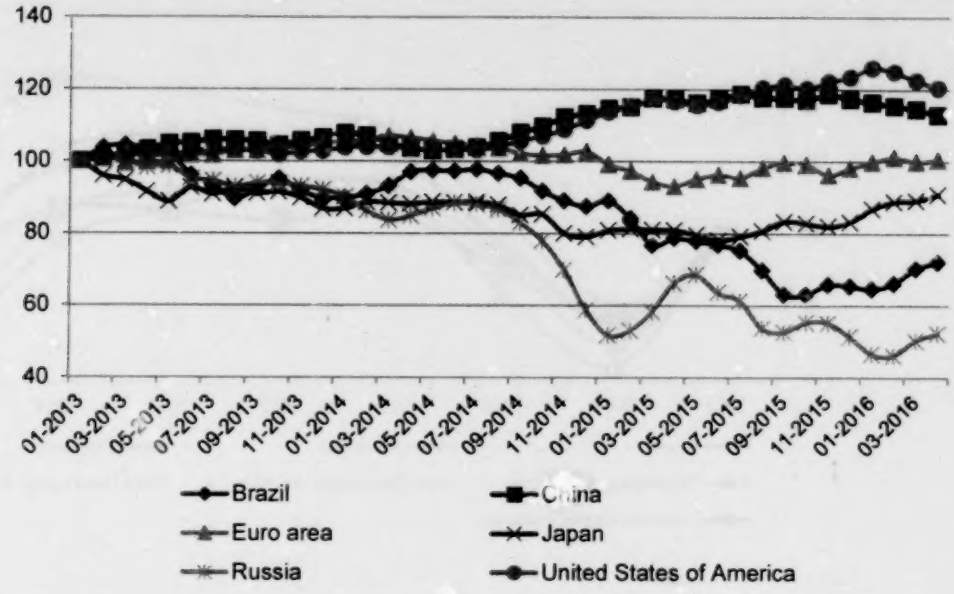


Source: UNCTADstat.

5. Developing countries accounted for 45 per cent of global merchandise exports in 2015, up from 36 per cent in 2005. Still, strong variations between countries persist with the 18 largest goods exporters, which are mainly developed economies and Asia representing 70 per cent of global goods exports in 2015. Uneven trade performance underscores that inequality between and within countries is a persistent development challenge.

6. Between January 2013 and April 2016, the United States dollar, and the Chinese renminbi registered significant nominal appreciation of about 20 per cent and 13 per cent, respectively. The appreciation of the dollar has influenced dollar-denominated trade value and commodity prices. Looking at the period from January 2013 to April 2016 as a whole, the Brazilian real and the Russian rouble depreciated by more than 20 per cent and 40 per cent, respectively, the Japanese yen fell about 9 per cent, and the euro stabilized (see figure IV).

Figure IV
Nominal effective exchange rates, selected economies (*2013/01=100*)

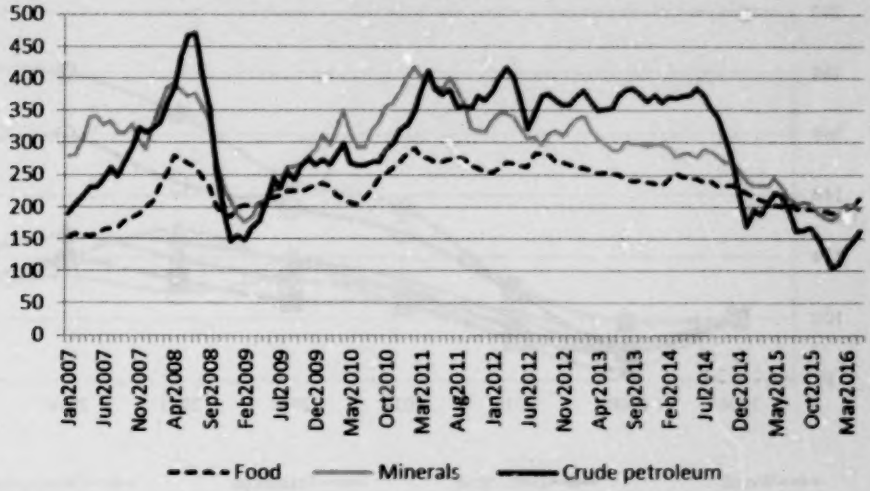


Source: Bank for International Settlements.

7. Commodity prices continued to plunge in 2015. All commodity groups experienced even larger price declines than in 2014, with crude oil prices falling the most. Plummeting oil prices explain the contraction of almost 37 per cent in the commodity price index, which was even larger than the 29 per cent decline seen in 2009 after the global crisis erupted (see figure V). Since March 2016, the downward trend in commodity prices appears to have been arrested, and in some cases reversed. The main factors behind the relatively low levels for most commodity prices throughout 2015 were persistent oversupply and associated levels of inventories.[4] The low commodity prices have diminished import demand by commodity-exporting economies, thereby causing cross-country second-round effects that also affect non-commodity exporters.

[4] UNCTAD, *Trade and Development Report, 2016* (forthcoming).

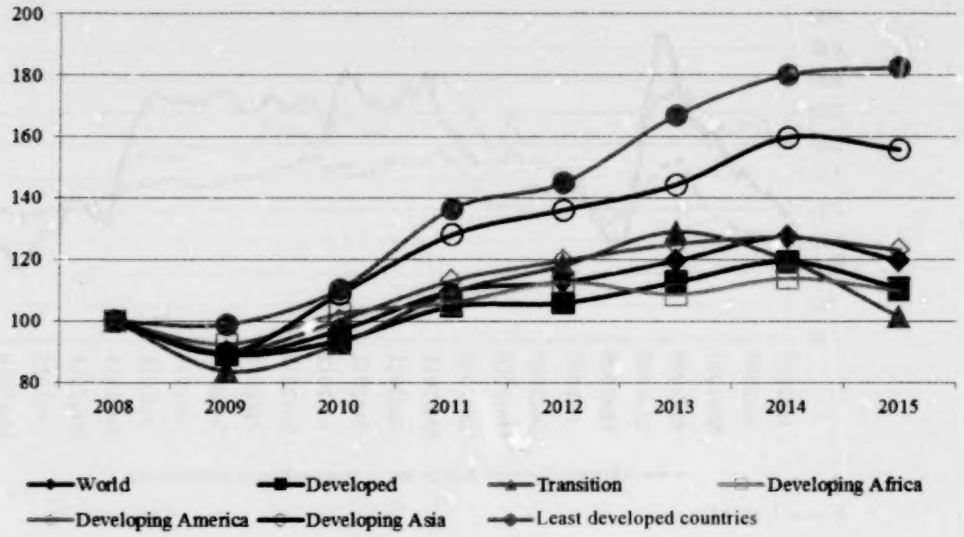
Figure V
Monthly commodity price indices (*2000=100*)



Source: UNCTADstat.

8. As was observed during the global economic crisis, trade in services has again been more resilient than trade in goods. In 2015, the nominal value of global services exports also experienced a decrease of about 6 per cent, from $5.1 trillion in 2014 to $4.8 trillion in 2015. With the notable exception of least developed countries that grew by 1.3 per cent, all groups saw their services exports contract in 2015 (see figure VI). As in merchandise trade, the worst decline was registered for transition economies, by above 15 per cent. Developing countries have increased their share in global services trade, from 23 per cent in 2005 to 31 per cent in 2015. The world's largest exporters of services in 2015 were the United States of America, United Kingdom, China, Germany and France.

Figure VI
Services exports by region and development status, 2008-2015 (*2008=100*)



Source: UNCTADstat.

9. A decomposition analysis reveals that most affected categories include transport, travel, construction and other business services. Travel continues to grow in least developed countries and, most notably, telecommunications, and computer and information services continue to grow in the broad group of developing economies owing to growth in Asia and in Latin America and the Caribbean. Some higher value-added sectors have been more dynamic in developing than in developed economies. Developing countries still seem to have a pattern of specialization focused in more traditional services such as transport and travel, particularly in Africa and the least developed countries, while developed economies are more specialized in higher value-added services such as financial and insurance services (see table 1).

Table 1
Commercial services exports by development status, 2015 (*in percentage*)

Category	*Developed*	*Transition*	*Developing*	*Least developed countries*
Goods-related	3.2	5.6	3.1	3.7
Transport	17.0	35.0	20.4	20.8
Travel	20.6	22.6	37.4	52.6
Construction	1.3	5.6	2.8	2.2
Financial, insurance	14.2	2.2	5.8	2.7
Intellectual property	8.9	0.9	1.0	0.3
Telecom, ICT	10.6	8.3	8.6	6.2

Category	*Developed*	*Transition*	*Developing*	*Least developed countries*
Other business services	23.1	16.5	19.5	8.2
Personal, cultural, recreational	0.9	0.6	0.6	0.3
Total	**100.0**	**100.0**	**100.0**	**100.0**

Source: UNCTADstat.

10. In 2015, the share of services in total exports of goods and services was 27 per cent in developed economies, and 15 per cent in developing economies. These services trade data focus on cross-border trade, not capturing services trade through commercial presence or temporary movement of natural persons. This is particularly important taking into account that trade with commercial presence through foreign direct investment (FDI) is the major mode of supply. This can be inferred by the growing sales by foreign affiliates, which reached $37 trillion in 2015, an increase from $34 trillion in 2014 and $32 trillion in 2013.[5] In fact, services accounted for 53 per cent of global announced greenfield FDI in 2015, amounting to $408 billion. Services exports through mode 4 are on an overall rising trend, based on the growth of migrants and remittances. This trade is particularly important in professional and business services, and in services related to agriculture, manufacturing and mining. In 2015, migrants sent home $582 billion, of which $432 billion to developing countries. In 2013, 71 per cent of 150 million migrant workers were concentrated on services.[6]

11. Furthermore, cross-border services trade data does not capture either the significant value-added of services embedded in goods exports, particularly in sectors such as energy, chemicals, machinery and transport equipment. In 2011, services accounted for 59 per cent of gross exports in developed economies and 43 per cent in others, much above their shares of services exports in total exports. The imported services value-added of gross exports grew for all countries between 1995 and 2011, when it represented 16 per cent in developed economies and 11 per cent in others (see figure VII). This suggests the increased tradability of services and their enabling role for participation in GVCs. This process is also driven by "servicification" of economies, whereby agriculture, manufacturing and other sectors are increasingly reliant on services for production and trade. For instance, even in the simple article of clothing, a jacket, physical components, including labour, fabric, account for a mere 9 per cent of the price. The remaining 91 per cent account for a wide range of services such as retail, logistics, banking and marketing.[7] This suggests the importance of services, particularly infrastructure services, as an enabler of trade and economic sectors, and an instrument for export diversification. Many developing countries have yet to exploit the full potential of

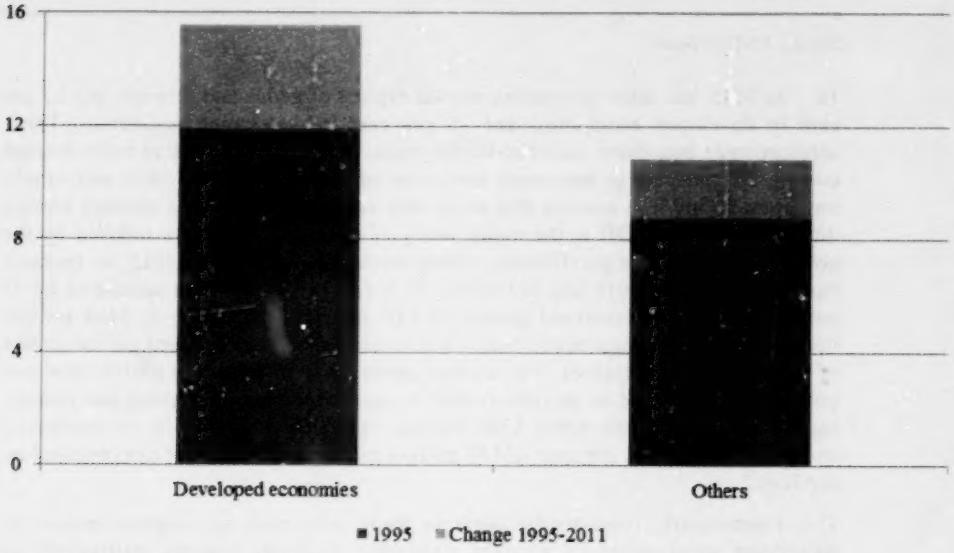
[5] *World Investment Report 2016: Investor Nationality — Policy Challenges* (United Nations publication, Sales No. E.16.II.D.4).

[6] UNCTAD (2016), Services, development and trade (TD/B/C.I/MEM.4/11).

[7] UNCTAD (2016), Report of the Multi-year Expert Meeting on Trade, Services and Development (TD/B/C.I/MEM.4/12).

the service economy and trade.[8] UNCTAD Services Policy Reviews assist countries in devising coherent policy, regulatory and institutional frameworks to strengthen the services sector.

Figure VII
Foreign services value-added share of gross exports, 1995 and 2011 (*in percentage*)



Source: UNCTAD, based on OECD TiVA database.

Box 1
Digital economy and trade

Telecommunications and information and communications technology (ICT) services allow for modern economic and social activities, contributing to increased productivity and competitiveness. A 10 per cent increase in Internet use in an exporting country increases the number of products traded between two countries by 0.4 per cent and the average bilateral trade value per product by 0.6 per cent.[a] Cross-border trade is greatly enhanced by ICT-induced efficiencies and by electronic means of delivery. This e-commerce, and ICT-enabled trade in general, is crucial for small and medium enterprises, allowing them access to new domestic and international markets and to participate in global value chains.[b] ICT services also play an important role in supporting financial inclusion through the development of digital financial services. Cross-border commitments in telecommunications and ICT are still limited in the context of the General Agreements on Trade in Services (GATS).

[8] Mina Mashayekhi, Marcelo Olarreaga and Guido Porto, "Services, trade and development" (UNCTAD, 2011); *Economic Development in Africa Report 2015: Unlocking the Potential of Africa's Services Trade for Growth and Development* (United Nations publication, Sales No. E.15.II.D.2); UNCTAD, "Services policy review: Bangladesh", 2015.

While regional trade agreements have increased commitments on telecommunication and ICT services, notable regulations, such as commercial presence and localization requirements, still exist. The Trade in Services Agreement could propose that data protection issues be addressed by mutual recognition of consumer protection systems instead of local presence requirements.

[a] World Bank (2016), World Development Report 2016: Digital Dividends.
[b] TD/B/C.I/MEM.4/12, Report of the Multi-year Expert Meeting on Trade, Services and Development on its fourth session, June 2016. UNCTAD.

12. Subdued international trade is likely to constrain long-term global economic growth prospects with important implications for global efforts towards the implementation of the Sustainable Development Goals. Expanding trade to trigger inclusive and sustained growth should be an important component of such efforts. Such policy consideration should guide national policy actions as well as global efforts aimed at development-oriented outcome of the Doha Round.

III. Trade and Agenda 2030 — From decisions to actions[9]

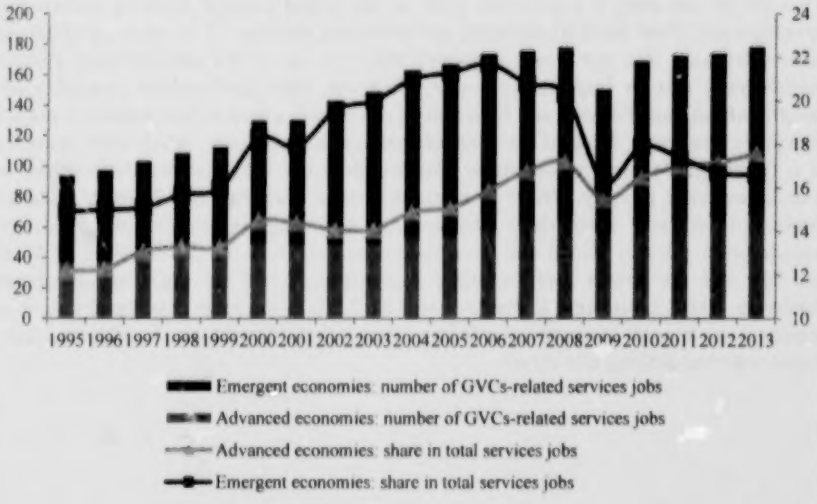
13. Trade can play a significant role in the world's quest towards sustainable development. Over the past decades, an increasing number of developing countries have integrated into the world economy and in most of the development success stories trade was an important element. However, there still remain countries and people left behind. Poverty and inequality both between and within nations remain a pervasive challenge. Most of the dramatic reductions in poverty since 1990 occurred in a few large developing countries. Worldwide, over 1 billion people continue to live in extreme poverty. These conditions render realizing the 2030 Agenda on eradicating poverty particularly challenging, as it requires raising the minimum consumption floor in global and national redistribution to the poverty line of $1.25 per day and the litmus test for achieving this goal will be the least developed countries. This implies that ending poverty by 2030 in the least developed countries requires a bigger economic miracle than that of China.[10] This requires unprecedented actions and efforts.

[9] UNCTAD, "From decisions to actions: report of the Secretary-General of UNCTAD to UNCTAD XIV" (New York and Geneva, 2015).
[10] *Least Developed Countries Report 2015: Transforming Rural Economies* (United Nations publication, Sales No. E.15.II.D.7).

Box 2
Trade and employment

The weak global economic performance is cause and consequences of pervasive global unemployment: 197.1 million people remained without jobs in 2015, 27 million more than before the global crisis.[a] This increases the challenge of achieving decent work, especially in many developing economies where informal employment continues to persist. Trade complemented with other policies could be instrumental for improving employment, particularly for countries with small domestic markets. Trade in services, in particular, is becoming increasingly important, a factor that needs to be taken into account in national policymaking. Services are the primary source of employment, accounting for 46 per cent of jobs globally in 2015, and are increasingly important for the creation of jobs related to GVCs (see figure below). The indirect effects of services exports are stronger in some sectors, with one job in tourism creating three jobs elsewhere and one job in information technology creating four jobs elsewhere.

Number and share of GVCs-related services jobs, 1995-2013
(*in millions and percentages*)



Source: ILO Research Department, based on World Input Output Database.
[a] International Labour Organization, *World Employment Social Outlook 2016: Transforming Jobs to End Poverty* (Geneva, 2016).

14. This makes the role of trade all the more important as an essential enabler of sustainable development. However, translation of gains from international trade into sustained growth is not an automatic process, nor does it achieve equitable income distribution, job creation or sustainable development. While competitive exports are

a prerequisite for trade to act as a source of financing for development, successful trade integration does not imply that welfare gains will be equitably distributed among different segments of the population. Structural changes associated with trade bear adjustment costs and income inequality may increase.

15. It is therefore necessary to put in place a coherent and integrated set of proactive policies, taking a holistic approach mobilizing all available policy instruments to help countries to enhance their ability to benefit from trade for sustainable development. This policy mix should be pursued in a coherent manner, and tailored to the specific development needs of each country. It is critical to seize the important momentum created by the adoption of the 2030 Agenda and of its Sustainable Development Goals and translate the determination as set out in those decisions into actions. UNCTAD 14, held from 17 to 22 July 2016, in Nairobi, as the first United Nations Ministerial Conference of the post-2015 development agenda, has forged a global consensus on major action lines that are essential for the achievement of the Sustainable Development Goals capitalizing on the role of trade.

16. *Building productive capacities to transform economies*: One important avenue for meeting Sustainable Development Goals and eradicating poverty by 2030 is through trade. This needs to be supported with coherent policies addressing finance, investment, trade, technology and entrepreneurship, and exploiting the trade-investment nexus for diversification by capitalizing upon GVCs. While GVCs have created an opportunity for a country to specialize in a particular segment of the production process, or specific tasks, thereby enabling faster industrialization, the benefits of GVCs are not automatic as accessing to the benefits of GVCs are not automatic and climbing the value-addition chain is not an easy process. In some cases, GVCs-related trade led to "thin industrialization", in which a country specializes in low-skill and low-productivity activities that are less conducive to long-term development. For example, over 85 per cent of the total manufacture exports of the least developed countries consists of labour-intensive, resource-intensive and low-skill technology-intensive manufactures. This is particularly important as countries that produce technologically more sophisticated products with higher value added tend to grow faster.

17. *More effective States and more efficient markets*: Adequate State intervention continues to be warranted for markets to operate efficiently. While this calls for the States' effective role in regulating markets to ensure competition and consumer protection, facilitated business environment and skill development, the regulation and promotion of infrastructure services — encompassing financial, transport, ICT, water and energy services — are particularly important. Infrastructure services provide fundamental inputs to all economic activities and are a direct determinant of the economies' productivity and competitiveness, whereas regulations are key determinant of the sectoral performance. Similarly, regulations are often needed to ensure universal access to basic services, such as health and education. Indeed, the achievement of many goals and targets under the Sustainable Development Goals requires well-functioning infrastructure and basic services, and universal access to them. These include: Goal 5 on gender equality (financial services); Goal 6 on water and sanitation (water services); Goal 7 on ensuring access to energy (energy services); Goal 8 on sustained growth (financial services); Goal 9 on building resilient infrastructure (e.g., financial, ICT, transport services), and Goal 10 on reducing inequality (remittances). Such prevalence of services in Sustainable Development Goals renders Agenda 2030 essentially the services agenda.

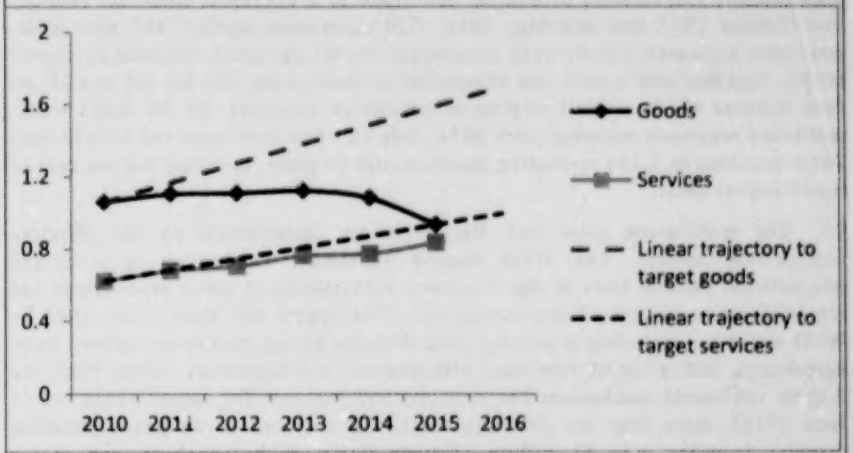
18. *Tackling vulnerabilities, building resilience*: Eradicating poverty requires addressing economic vulnerabilities of countries in special needs, including the least developed countries, landlocked and small island developing States. Between 2005 and 2015, 35 developing countries experienced average annual goods export growth rate of more than 10 per cent but 32 witnessed export contraction (see box 3). To overcome the vulnerabilities, they need to develop sound strategies to build resilience to external shocks. This implies setting the necessary productive capacities to obtain a "smart product mix" that captures increasing value-added and to create productive employment. Examples of successful diversification for commodity-dependent countries include specialization in such areas as processed mineral products, organic food products, specialized tourism services, and exported business-related and outsourcing services. Services trade represents a major option for export diversification. Efficient business, professional and infrastructure services are required to provide fundamental inputs to support the international fragmentation of production.

Box 3

Least developed country trade performance and the Istanbul Programme of Action

The Istanbul Programme of Action, adopted at the Fourth United Nations Conference on Least Developed Countries, in 2010, set the ambitious objective of enabling half the number of least developed countries to meet the criteria for graduation by 2020, including by doubling their share in world trade by the same time as reiterated in Sustainable Development Goal target 17.11. Halfway through the decade, least developed countries are not on track to meet this target. The share of least developed countries' merchandise exports in global exports decreased from 1.1 per cent in 2010 to 0.9 per cent in 2015 while that of services exports from least developed countries rose from 0.6 per cent in 2010 to 0.8 per cent in 2015 (see figure below). The High-Level Midterm Review of the Istanbul Programme of Action, held in May 2016, recognized that many least developed countries continue to face multiple challenges, including stagnant trade flows, and called for swift action. Despite recent improvements in least developed countries' market access conditions, such as through DFQF market access with transparent and simple rules of origin, least developed countries' exports remain highly concentrated in a few primary products, with primary commodities accounting for more than 70 per cent of their exports, and remain vulnerable to commodity price volatility and exogenous shocks.[a] This makes the strengthening of industrial and services productive capacity, to promote economic diversification, a particularly important challenge.

Least developed countries' export share in global exports, merchandise and services, 2010-2015 (*in percentage*)



Source: UNCTADstat.

[a] United Nations (2016), Comprehensive High-level Midterm Review of the Implementation of the Istanbul Programme of Action (A/CONF.228/L.1).

19. *Strengthening multilateralism, finding common solutions*: Global collective action through multilateral cooperation is essential in tackling cross-border challenges in economic, social and environmental dimensions of sustainable development. Revitalizing a global partnership for sustainable development is critical for the implementation for the Sustainable Development Goals. In the area of trade, a universal, rules-based, open, non-discriminatory and equitable multilateral trading system continues to be the cornerstone of such a partnership as recognized by under Sustainable Development Goals target 17.10. The multilateral trading system should be regarded as a global public good, since the non-discrimination principle reflects the non-rival and non-excludable characteristics of public goods. Revitalizing the multilateral trading system with a strengthened development focus as a global public good with renewed momentum and relevance is essential for the achievement of the Sustainable Development Goals.

IV. Developments in the multilateral trading system

20. Recent trade and policy shifts appear to signify a new era for the international trading system. The centrality of the multilateral trading system is increasingly affected by insufficient progress in multilateral trade negotiations under the Doha Round, and as an accelerated proliferation of mega-regional and plurilateral negotiations. These developments may have bearings on the Sustainable Development Goals.

21. The multilateral trading system remains the centrepiece of the global institutional framework underpinning trade, and continues to enjoy legitimacy as

global public goods. Multilateral rules and disciplines reduce trade barriers and discrimination, and the non-negotiating functions are fundamental to transparency, predictability and stability of international trade. A WTO report finds that between mid-October 2015 and mid-May 2016, G20 economies applied 145 new trade-restrictive measures, mainly trade remedy actions (61 per cent), followed by import tariffs. Together with a slow rate of removal of restrictions, this has led to a 10 per cent increase of the overall number of restrictive measures. Of the 1,583 trade-restrictive measures recorded since 2008, only 387 had been removed by mid-May 2016, resulting in 1,196 restrictive measures still in place, covering 5.0 per cent of world import value.[11]

22. The multilateral rules and disciplines are underpinned by the effective enforcement system. The WTO dispute settlement mechanism is a unique international judicial body in that it ensures automaticity in panel proceedings and remedial action in case of non-compliance. This system has been widely used by WTO members, including in solving trade disputes among parties to regional trade agreements, indicating its continued effectiveness and legitimacy. Since 1995, the dispute settlement mechanism has received 507 requests for consultations (as of June 2016), more than the 300 disputes GATT received in 47 years, handling disputes covering over $1 trillion of trade flows. With the slow pace of the multilateral hard-rule making, there has been a tendency for countries to seek to resolve trade disputes through judicial mechanism rather than rule-making efforts. Recent disputes have addressed those issues relating to the negotiating agenda (e.g., agricultural subsidies), new areas of services trade, such as financial services and non-immigrant visa-related issues, and emerging issues that have a bearing on other public policies (e.g., public health, industrial policy, renewable energy, natural resources). At the same time, this also underscored the need to update WTO rules through negotiation rather than through judicial review.

23. The multilateral trading system is also headed towards universality consistent with the imperative of promoting "a universal, rules-based, open, non-discriminatory and equitable multilateral trading system" under Sustainable Development Goal 17.10. This has been pursued through accession processes. By July 2016, 36 countries will have acceded to WTO since 1995, including 9 least developed countries. Recently, accession packages were adopted at MC10 for the accession of Afghanistan and Liberia, which brings the number of WTO membership to 164. These countries have undertaken important policy reforms to make their trade regime WTO-compatible. A major challenge has been to negotiate balanced terms of accession consistent with their development needs, and implementing the commitments in the post-accession phase. Acceding countries often have to accept conditions that are much more restrictive despite their often low development level. UNCTAD assists these countries throughout their accession processes.

The Doha Round

24. The Doha Round was launched in 2001 covering a broad range of market access and rules agenda under a single undertaking, in addition to the two built-in agenda of agriculture and services. The negotiations were to give priority attention to developing countries' implementation difficulties and special and differential

[11] World Trade Organization (WTO), "Report on G20 trade measures", 21 June 2016. Available from https://www.wto.org/english/news_e/news16_e/g20_wto_report_june16_2.pdf.

treatment to redress imbalances embedded in the Uruguay Round outcomes. The original goal was to conclude the negotiations by 2004. Following the ninth WTO Ministerial Conference (MC9), held from 3 to 6 December 2013, in Bali, Indonesia, at which a "Bali Package" was adopted, including on a Trade Facilitation Agreement and food security issue, focus of the discussion was to formulate by July 2015 a post-Bali work programme to conclude the Doha Round while progressing towards the ratification of the Trade Facilitation Agreement and finding a permanent solution to the food security issue. As of June 2016, the number of Trade Facilitation Agreement ratifications stood at 84, while the Trade Facilitation Agreement will enter into force once two thirds of the WTO membership has formally accepted the Agreement.

25. The tenth WTO Ministerial Conference (MC10), held from 15 to 19 December 2015, in Nairobi, resulted in adoption of a Ministerial Declaration along with six Ministerial Decisions on negotiating issues.[11] They include four decisions on agriculture (respectively, on: (a) export competition, including the elimination of export subsidies; (b) public stockholding for food security purposes; (c) a special safeguard mechanism for developing countries; and (d) cotton), and two least developed country-related issues of (e) preferential treatment of least developed country services under a least developed country services waiver, and; (f) preferential rules of origin for least developed countries. The decision on the elimination of agricultural export subsidies was particularly significant even though the use of such measures had significantly decreased since 2001. In a parallel positive development, 53 WTO members agreed on the tariff-elimination schedules under the Information Technology Agreement.

Post-Nairobi process

26. The most important setback arose from the fact that WTO members could not agree on the way forward in the Doha Round negotiations after MC10. The Ministerial Declaration, in its paragraph 30, acknowledged the disagreement among members by noting that they "recognize that many Members reaffirm the Doha Development Agenda, and the Declarations and Decisions adopted at Doha and at the Ministerial Conferences held since then but other Members do not reaffirm the Doha mandates, as they believe new approaches are necessary to achieve meaningful outcomes in multilateral negotiations Several countries expressed the view that this implied the termination of the Doha Round, opening the door to unbundle a single undertaking and to look for new approaches and new issues. Many others, especially developing countries, argued that the decision to launch the Doha Round was taken by consensus, thus the Round could not be terminated without a consensus decision to that effect.

27. The uncertainty thereby created over the post-Nairobi process has placed the-15-year-long Doha Round negotiations at a crossroads with important implications for the WTO negotiating function. It is significant that the Doha Round structure and working methods, including the single undertaking covering a broad-based agenda, is openly questioned and new issues are proposed. Developed countries have expressed their frustration with the persistent lack of reciprocity in negotiations from emerging economies. They have therefore called for differentiation of developing countries in order to ensure that each country undertakes commitments in a manner commensurate with its share in global trade. Developing countries in general consider that the current Doha Round structure was

set to correct the imbalances resulting from the Uruguay Round and wish to continue negotiations on key issues under its existing structure and special and differential treatment principles.

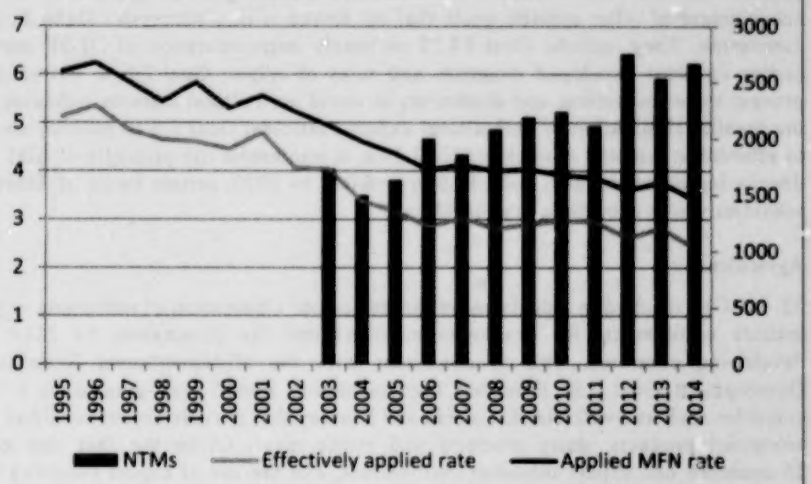
28. The protracted Doha Round negotiations have already shifted the focus of many players to alternative approaches in securing their trade interests through plurilateral and regional negotiations where new issues that are being sought for inclusion in WTO (e.g., investment, competition, state-owned enterprises) are already practically addressed. Such moves are seen to have eroded their interest in the multilateral processes, and weakened in turn the engagement of emerging economies that continue to encounter, especially since the global economic crisis, significant domestic economic policy challenges such as macroeconomic imbalances, food insecurity and de-industrialization.

29. This stalemate in the multilateral process also takes place at a time when the nature of trade has witnessed a major change prompted by the expanded trade along GVCs, "servicification" of economies, rise of emerging economics, and digital trade. The increased relevance of various regulatory measures — such as investment, services and intellectual property rights — to the modern trade structure are favouring deeper integration and regulatory convergence that are more amenable to be addressed under Regional Trade Agreements. As tariffs are reduced and the relative incidence of non-tariff measures increase, trade policy agenda has shifted to deep integration agenda favouring deeper liberalization and regulatory harmonization to support seamless trade and free movement of goods, services, capital, factories, people and technology (see box 4). This appears to put the so-called "shallow integration" supported by the existing WTO norms and instruments at an inherent disadvantage, and has challenged its effectiveness in supporting current trade structure.

Box 4
Trade effects of non-tariff measures

Although tariffs were reduced through progressive liberalization over the last decades, market access conditions are increasingly determined by **non-tariff measures**. Those measures present a bigger hurdle to developing country exports than tariffs. UNCTAD research has shown that **non-tariff measures** disproportionately reduce exports from low-income and least developed countries. For example, the sanitary and phytosanitary measures in the European Union are estimated to reduce low-income countries' agricultural exports by 14 per cent.[a] Similarly, the non-tariff measures applied by the G20 countries reduce least developed country exports by more than twice as much as tariffs. Tariff-free market access for least developed countries would increase least developed country exports to the G20 by about 7 per cent, but trade-reduction effects of existing non-tariff measures are about 17 per cent.[b] Addressing trade effects of non-tariff measures, and building the capacity of least developed countries to comply with applicable non-tariff measures would be instrumental in their trade expansion.

Tariff and non-tariff measures, 2000-2014 (*in percentage and number*)



Source: UNCTAD calculations, based on the World Integrated Trade Solution (WITS).

Note: The number of sanitary and phytosanitary and technical barriers to trade measures in force are on the right axis. Both sanitary and phytosanitary and technical barriers to trade are non-tariff measures.

[a] Marina Murina and Alessandro Nicita, *Trading With Conditions: The Effect of Sanitary and Phytosanitary Measures on Lower Income Countries' Agricultural Exports*, Research Study Series No. 68 (New York and Geneva, UNCTAD, 2014).

[b] UNCTAD, "G20 policies and LDC export performance", 2016 (forthcoming).

30. This situation calls for a careful reflection of the modus operandi of the multilateral trade negotiations. A broader agenda under a single undertaking adopted in the Doha Round was expected to facilitate intersectoral trade-offs, but that did not materialize. Priority attention needs to be given to a core development agenda, including a built-in agenda of agriculture and services. A course correction is warranted in promoting superior collective interest for sustainable development in line with the 2030 Agenda. Aligning the multilateral trading system with the universal imperatives enunciated in the Sustainable Development Goals could be considered (see General Assembly resolution 70/1). The setbacks may also represent the difficulties associated with hard-rulemaking as the legally binding nature of the commitments has made the negotiating parties particularly vigilant in taking commitments. Multilateral hard-rule making could thus be complemented through consensus-based soft-rule making efforts with the participation of all stakeholders. Facilitating consensus on emerging trade agenda and developing best practices, guidelines and lessons learned could serve for possible hard-rule making efforts, such as in the area of services trade facilitation. The United Nations system, particularly UNCTAD, could play an important role in this regard.

31. Meaningful progress in the Doha Round is essential for revitalizing the Global Partnership for Sustainable Development, especially Goal 17.10 to promote a

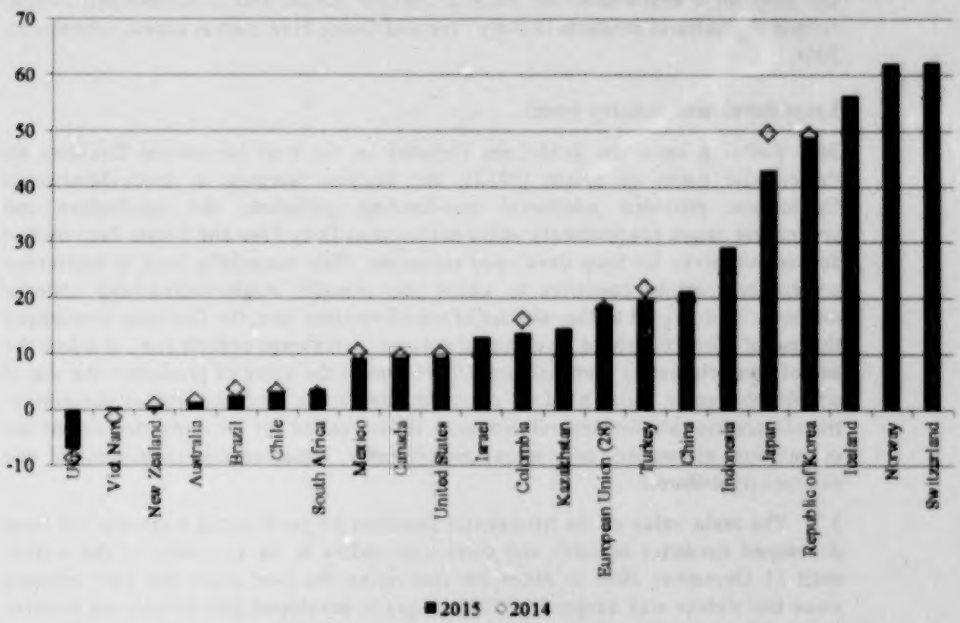
universal, rules-based, open, non-discriminatory and equitable multilateral trading system under the WTO. This could also have a bearing on progress towards the achievement of other specific goals that are linked with a successful Doha Round conclusion. They include: Goal 17.12 on timely implementation of DFQF market access for least developed countries and rules of origin; Goal 2.b to correct and prevent trade restrictions and distortions in world agricultural markets including by the parallel elimination of agricultural export subsidies; Goal 3.b to provide access to affordable essential medicines; Goal 10.a to implement the principle of SDT for developing countries, and; Goal 14.6 to prohibit, by 2020, certain forms of fisheries subsidies which contribute to overfishing.

Agriculture

32. MC10 resulted in a decision on the immediate elimination of remaining export subsidy entitlements for developed members and the elimination by 2018 for developing countries. This is consistent with the aforementioned Sustainable Development Goal 2.b. Extended implementation period was granted to a few countries such as Switzerland, Canada and Norway that provide export subsidies for processed products, dairy products and swine meat. Given the fact that only 25 countries had export subsidies entitlements, and the use of export subsidies has already decreased significantly in major users, the immediate effect of this Decision would prove to be limited. It may be noted that declining use of export subsidies has in some cases been compensated with the increased use of domestic support categorized as non-trade distorting "Green Box" (e.g., decoupled income support). Concern exists over potentially trade-distorting effect of Green Box measures, as there are currently no limitation on the amounts that can be provided under the category.[12] OECD producer support estimates suggest that for five countries, producer support represent over 40 per cent of farm receipts (figure IX). This highlights the importance of addressing comprehensively agricultural support and border protection.

[12] See, for instance, Rashmi Banga, "Impact of green box subsidies on agricultural productivity, production and international trade", Background Paper, No. RVC-11 (2014). Available from http://unctad.org/en/PublicationsLibrary/ecidc2014misc1_bp10.pdf.

Figure VIII
Producer support estimate by country, 2014 and 2015 (*percentage of gross farm receipts*)



Source: OECD (2016), Agricultural Policy Monitoring and Evaluation.

33. Goal 2 of the Sustainable Development Goals generally calls for ending hunger and achieving food security. The increased food prices starting from 2002 and peaking in the period from 2012 to 2013 has raised the stake in agricultural negotiations of trade-related measures taken for food security purposes. One such measure concerns public stockholding programmes. The Ministerial Decision on public stockholding for food security purposes reaffirms the existing decisions to protect from legal challenges developing-country Governments which buy stocks of food from their farmers (i.e., "peace clause") until a permanent solution is agreed. A permanent solution is being sought by the proponents to exempt, from subsidy limits, support provided to farmers through public stockholding programmes.

34. Another food security measure subject to agricultural negotiations concerns the Special Safeguard Mechanism which is considered an important tool to counteract against sudden import surges or price falls to protect the local production of staple food. The Ministerial Decision on the Special Safeguard Mechanism reaffirms the right of developing countries to have recourse to a Special Safeguard Mechanism. Key issues in these negotiations were: ascertaining how many products are eligible for the measures: the conditions under which the Special Safeguard Mechanism may be triggered (such as price fall and import surges); and the level and modalities for remedial tariffs that could be imposed as a Special Safeguard Mechanism.

35. Addressing all pillars of agricultural negotiations, the Ministerial Decision on cotton provides for eliminating export subsidies in developed countries immediately

and in developing countries by January 2017 in line with the aforementioned Ministerial Decision on export competition. A commitment was made in the Decision on a best-endeavour basis to include cotton and predetermined cotton-related agricultural products in Duty Free and Quota Free market access schemes by 2016.

Least developed country issues

36. Building upon the guidelines included in the Bali Ministerial Decision on Preferential Rules of origin (2013), the decision adopted at tenth Ministerial Conference provided additional non-binding guidelines for substantive and procedural origin requirements under preferential Duty Free and Quota Free market access initiatives for least developed countries. They essentially seek to encourage preference-granting countries to adopt user-friendly origin-determining criteria/methods. With regard to the substantial transformation rule, the Decision encouraged the use of a low-threshold level for ad valorem percentage criteria (i.e., to allow the use of non-originating materials for 75 per cent of the value of products); the use of simple change in tariff heading or subheading rules; and the use of the single-transformation rule for apparel products. It also called for the expanded use of the cumulation allowance and more user-friendly documentary requirements and customs procedures.

37. The main value of the Ministerial Decision on preferential treatment for least developed countries services and service providers is the extension of the waiver until 31 December 2030 to allow for recovering the four years that have elapsed since the waiver was adopted in 2011. It urges developed and developing country members to redouble efforts to promptly notify preferences with commercial value. The actual impact of the waiver will depend on the content and operation of the preferential treatment granted, and the capacity of the least developed countries to take advantage of the preferences. Least developed countries have expressed concerns over the commercial value of the preferences granted. They have pointed to the fact that some notifications do not spell out how a preference will operate for those countries; there is a lack of preferences covering mode 4; more needs to be done to address non-market access concerns. The UNCTAD preliminary analysis finds that modes 1, 2 and 3 generally receive preferences with a broad sectoral coverage, whereas mode 4 has yet to be fully addressed (see box 5).

Box 5
Services trade through mode 4[a]

Temporary movement of natural persons (mode 4) remains underaddressed in the preferential treatment for least developed countries notified under the waiver. Mode 4 for the most part is unbound and subject to limitations such as commercial presence requirements. Although notifications contain some interesting examples, such as doubled periods of stay, waived economic needs tests, waived visa fees and work permits, there are no notable breakthroughs. On trade commitments, mode 4 tends to be limited by pre-employment requirements, numerical quotas and economic needs tests. In addition, commitments are insufficient, both in terms of categories and covered sectors. In some cases, only formal qualifications are considered in

assessing services providers, excluding skills and experience evaluation. Visa and work permits are often cumbersome, costly, without clear criteria, and biased towards high-skill levels. Other barriers revolve around nationality and residence requirements, and non-portability of social security benefits. Some migrant-reduction policies, including salary thresholds for foreign nationals, also affect mode 4 service suppliers.

[a] UNCTAD, "Trade, migration and development, in Global Migration Group" (forthcoming). *Handbook for Improving the Production and Use of Migration Data for Development*.

Plurilateral negotiations

38. The agreement reached among 53 participants in the Information Technology Agreement (or 24 parties counting the European Union as one) during the MC10 pertained to the level and pace of tariff elimination schedules on the list of 201 IT products that had already been agreed in July 2015. The agreement is plurilateral in scope but applied on an MFN basis, meaning that the resulting tariff reduction agreed among these sub-set of WTO Members will be extended to all WTO Members. Approximately 65 per cent of these tariff lines were to be fully eliminated by July 2016, and most of the remaining tariff lines to be phased out by 2019. Trade in covered information technology products by participating countries are valued at some $1.3 trillion, or 10 per cent of world merchandise trade, and account for approximately 90 per cent of the world trade in these products. Products covered by the ITA expansion include such products as new generation multi-component integrated circuits, touch screens, GPS navigation equipment and medical equipment. The Agreement is expected to contribute to expanding further digital economy.

39. Other ongoing negotiations for plurilateral agreements pertain to services and environmental goods. Major players are also engaged in the plurilateral negotiations for a Trade in Services Agreement (TISA) outside the WTO. These negotiations involve 24 countries representing 70 per cent of global services trade, and aim at ambitious services liberalization. Non-participation of some major developing countries has resulted in participating countries not representing a critical mass, the future TISA would take the form of a preferential services agreement not extended to all WTO members.

40. The Environmental Goods Agreement has been negotiated by 17 countries since July 2014 to eliminate tariffs on a range of environmental goods so identified, building on a list of 54 environmental goods agreed by APEC. UNCTAD research finds that participants accounted for almost 80 per cent of world trade in these goods.[13] The future agreement is intended to be a "living agreement", which would allow the addition of new products, and to address NTMs and services linked to environmental goods. The agreement would be extended on a most favoured nation basis to all members of WTO. By facilitating access to environmental goods, the initiative is expected to increase the use of environmental technologies.

[13] UNCTAD, *Trading Into Sustainable Development: Trade, Market Access and the Sustainable Development Goals* (New York and Geneva, 2016).

V. Developments in Regional Trade Agreements

41. The increased prevalence of Regional Trade Agreements characterizes the recent evolution of the international trading system. Since June 2016, 625 such agreements, of which 419 were in force, have been notified to WTO. It is increasingly the case that Regional Trade Agreements encompass a range of behind-the-border measures. The emergence of "mega-Regional Trade Agreements" has further accentuated this trend. Mega-Regional Trade Agreements are a response to a rapid expansion of trade within GVC and seen to achieve duty-free and Non-tariff barrier free environment addressing trade-services-investment nexus and addressing regulatory diversity through regulatory coherence and convergence. It is expected that the recently concluded Trans-Pacific Partnership Agreement would create a market covering some 800 million people with a combined gross domestic product of $28 trillion or 40 per cent of global gross domestic product. The proposed Trans-Atlantic Trade and Investment Partnership Agreement between the European Union and the United States of America would cover half of global output and a third of global trade. The Regional Comprehensive Economic Partnership under negotiation would create a free trade agreement linking the Association of Southeast Asian Nations and its six external partners covering half of the world's population. It is significant that large-scale Regional Trade Agreements are also emerging in the developing world, such as the Tripartite Free Trade Agreement and the Continental Free Trade Area being negotiated in Africa.

Mega-Regional Trade Agreements — Trans-Pacific Partnership Agreement

42. The most significant development was the conclusion of the Trans-Pacific Partnership Agreement in October 2015 among its 12 members: Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, the United States of America and Viet Nam. It is the first case of the completed mega-Regional Trade Agreement, which has a bearing on the international trading system. Comprehensive in scope, the agreement's 30 chapters cover goods, services, investment, e-commerce, intellectual property, government procurement, competition, labour protection, environment, regulatory coherence, small and medium enterprises and state-owned enterprises. It is principally seeking to facilitate trade and investment among parties to the Trans-Pacific Partnership Agreement, including through regulatory harmonization. The Agreement sets a high-standard "template" for trade agreements in the twenty-first century and might soon attract new members such as the Republic of Korea. Existing research suggests that the bulk of gains are expected from regulatory harmonization and mutual recognition.

43. The Trans-Pacific Partnership Agreement, as in any other Regional Trade Agreement, will have implications for outsiders, and they are expected to be more significant for mega-Regional Trade Agreement, owing to its systemic importance and sheer size. Systemically, mega-regional trade agreements cover a substantial share of world output, trade and investment, and are seen to be a "game changer". They are often feared to reduce the incentive for multilateral trade negotiations and create a "two-tiered" and fragmented trading system even though far larger global welfare gains are expected from a successful Doha Round than any other mega-Regional Trade Agreement. Existing research using a computable general equilibrium analysis generally suggests that under Regional Trade Agreements, members could gain from such agreements, but non-members are made worse off

because of trade diversion. The annual gains from a Doha outcome far exceed the global benefits of the three Regional Trade Agreements, namely TPP, RCEP, TTIP. This is because, although Free Trade Agreements may have deeper tariff cuts, they do not apply to all exporters, so inevitably there is an amount of trade diversion. The result is that non-members lose. Some members that already have preferential access to the United States market may also lose as a result of increased competition from new members and foregone tariff revenue.

44. The high-standard, cutting-edge disciplines on regulatory issues are seen to have implications for global trade rule-making, as they could set precedence over multilateral rules. Economically, outsiders would be impacted directly and indirectly by Regional Trade Agreements' preferential liberalization and regulatory harmonization. In the short run, preferential liberalization could induce trade and investment diversion. While generally seen as a major source of gains, regulatory harmonization may lead to upward harmonization imposing adjustment costs to lower-standard insiders requiring a number of legislative actions, and outsiders who also need to bear additional costs in meeting higher regulatory standards, including their non-member trade partners, e.g. neighbouring countries that are part of some regional integration schemes. It would be important to minimize and mitigate such adverse effects.

South-South regional trade agreements — Continental Free Trade Agreements

45. Pan-African negotiations for a CFTA are a notable example of a large-scale regional trade agreement in the South-South context. The CFTA negotiations were launched in June 2015 with the indicative target date for conclusion set for 2017. The CFTA project started from the premise of the necessity to boost intra-African trade by fast-tracking CFTA to support development in the continent. At the root lies the observed low level of intra-African trade, which recently hovered at about 10 per cent of total African merchandise trade. These negotiations, covering both goods and services, would be built upon the *acquis* of the progress made in Regional Economic Communities, including the recently launched TFTA among COMESA, EAC and SADC and are expected to increase intra-African trade and generate real income gains for Africa.

46. CFTA negotiations are complex with the regional trade integration characterized by asymmetry and disparity. Among regional economic communities, the Southern African Development Community is by far the largest market for African exporters, absorbing 52 per cent of total intra-African imports. There is a large disparity in trade flows among different Regional Economic Communities (see table 2). The strong propensity of the Southern African Development Community to import from Africa is largely a reflection of its large intraregional economic community trade. Generally, all regional economic communities import most intensively from their own partners, but some trade intensively with external partners. The intra-African trade link follows geographical congruity but is weak essentially between remote areas. Future CFTA is expected to deepen and strengthen such trade links among subregions.

Table 2
Regional Economic Communities' imports from Regional Economic Communities as a share of their total imports from Africa, 2014
(in percentage)

Importer	*Exporter*				
	UMA	COMESA	ECCAS	ECOWAS	SADC
UMA	**61.4**	34.0	0.7	3.8	5.8
COMESA	17.1	**39.9**	7.0	1.1	58.6
ECCAS	26.3	16.6	**12.2**	20.2	38.9
ECOWAS	12.0	2.1	1.9	**72.4**	11.7
SADC	1.7	19.0	9.4	12.7	**80.2**

Source: UNCTADstat.

47. One of the critical issues in the CFTA negotiations is to ascertain the adequate level of ambition. As the objective of the endeavour is to boost intra-African trade, including with a view to doubling the share of intra-African trade by 2020, the negotiations aim at the highest level of ambition. However, the CFTA negotiations are also charged with a number of challenges, including a multitude of subregional and inter-subregional integration processes, the asymmetric level of integration achieved in different regional economic communities, and the overlapping membership of several such communities. The multitude of integration processes at different layers is expected to condition the depth and configuration of the CFTA. Deepening regional regulatory and development cooperation will also be instrumental for boosting intraregional trade.

VI. Conclusion

48. International trade needs to play an enabling role in growth and development, as called for in Sustainable Development Goals. Proactive, best-fit and coherent policy-mix needs to be mainstreamed into national policy agendas in support of sustainable development. Taking the holistic and coherent approach needs to bring together trade, development, industrial, macroeconomic, social and other policy areas to promote the necessary structural transformation that build productive capacities, diversification and economic upgrading. Services economy and trade play a central role in these endeavours towards the achievement of the Sustainable Development Goals. The implementation of the 2030 Agenda should consider this multidimensional role of trade and trade policy in multiple goals and targets. The fourteenth session of UNCTAD offered a forum for discussion on how to transform decisions into actions in this regard.

49. A global partnership is an essential means of implementation of the Sustainable Development Goals, and a universal, rules-based, open, non-discriminatory and equitable multilateral trading system will be a central component of such a partnership. Despite setbacks in multilateral trade negotiations, revitalizing the multilateral trading system as a global public good with renewed momentum and relevance is necessary. Difficulties in the hard-rule making approach to trade policy points to the need for a wider adoption of soft-rule making efforts to complement

hard-rule making efforts, which can be usefully pursued within the existing international frameworks. New-generation large-scale regional trade agreements have demonstrated the need to ensure that these agreements complement and support the multilateral trading system to provide an enabling environment for all countries. Enhancing regulatory and developmental cooperation in regional contexts could serve to boost trade and build productive capacities. Their development effects need to be continuously monitored and discussed at the multilateral level. The United Nations system, including UNCTAD, could play an important role in this regard.

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Macroeconomic policy questions

External debt sustainability and development

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 70/190 and analyses the evolution of external debt sustainability in developing and transition economies since the start of the millennium. It explores structural changes to developing country debt composition and stresses the urgent need to improve the availability and quality of data in specific areas, not least in the context of the ambitious Sustainable Development Goals set by the 2030 Agenda for Sustainable Development. The report further calls attention to growing incidences of microdebt crises, highlights some of the implications of new challenges to developing country external debt sustainability for sovereign debt restructuring and emphasizes the need for continued additional official development assistance in the context of the winding-down of the debt relief initiatives of the 1990s and 2000s.

* A/71/150.

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I. Overview and trends

A. Evolution of core debt indicators, 2000-2015

1. The total external debt stocks of developing countries and economies in transition reached approximately $6.8 trillion in 2015, compared with $2.1 trillion in 2000, while exports grew from $1.5 trillion in 2000 to $6.9 trillion in 2015. During those fifteen years, the period up until the financial crisis saw average yearly gross domestic product (GDP) growth rates of 6 per cent, which fell to 5 per cent per year, on average, during the post-crisis period from 2009 to 2015. Export growth slowed more markedly post-crisis, from an average growth rate of 16.6 per cent from 2000 to 2008, to 6.5 per cent from 2009 to 2015. As a result of strong overall GDP and export growth during the period from 2000 to 2008, coupled with the results of the debt relief initiatives of the 1990s and early 2000s, debt ratios for developing countries as a whole improved substantially over the period. Total debt stocks to GDP decreased from 36 per cent in 2000 to 22 per cent in 2008, and debt service to exports shrunk from 22 per cent in 2000 to just above 9 per cent in 2008. However, the period 2009 to 2015 is marked by a renewed rise in both ratios, as total debt to GDP crept up to 25.5 per cent by 2015 and debt service to exports increased to 11.5 per cent.

2. International reserves for all developing countries increased to $6.3 trillion in 2015, from $646 billion in 2000. The average growth rate of reserves for the period 2000 to 2008 was 24 per cent annually, while during the period from 2009 to 2015 the rate of growth of reserves slowed significantly to an average of 4.3 per cent annually and registered two consecutive years of decrease, falling by 1 per cent in 2014 and by 8 per cent in 2015. In spite of the recent slowdown, the stock of international reserves as a percentage of short-term debt has substantially improved over the past 15 years, standing at 337 per cent in 2015 compared to 220 per cent in 2000.

3. The overall debt position of Europe and Central Asia is supported by large holdings of international reserves and a healthy reserves to short-term debt ratio. This has steadily increased between 2000 and 2015. From a starting point of 113 per cent in 2000, the ratio peaked at 360 per cent in 2009, but subsequently declined to around 274 per cent in 2015. Total debt stocks increased significantly during the entire period, from $350 billion in 2000 to $1.5 trillion in 2015, but the average GDP growth rate of 6 per cent annually between 2000 and 2008, when most of the new debt was accumulated, has kept the debt to GDP ratio at relatively stable levels over the past 15 years, within the 40 to 50 per cent band. The main issue that continues to plague the region is sluggish export growth since the crisis, caused by tepid growth in the largest European economies. Whereas exports grew by a yearly average of 19.5 per cent over the period from 2000 to 2008, the period 2009 to 2015 registered an average annual growth rate of only 3 per cent.

4. Total debt stocks in sub-Saharan Africa increased from $213 billion in 2000 to $413 billion in 2015. The region's share of the total debt stocks of developing countries decreased from 10 per cent in 2000 to 6 per cent in 2015. Its debt to GDP ratio has improved markedly over the period and in particular during the early 2000s. The improvement was largely driven by debt relief and the commodities price boom. Total debt to GDP stood at 59 per cent in 2000, peaked at 61 per cent in 2002, and followed a downward path until 2011, by which point it had fallen to

21 per cent. Since 2011, there has been a modest but steady increase in the ratio, reaching 27 per cent in 2015. The debt service to exports ratio was never particularly high for the region, peaking at 12 per cent in 2001 and dropping to single digits since 2003. However, since bottoming in 2010 at 3.7 per cent, the debt service to exports ratio has more than doubled and stood at 8.8 per cent in 2015, reflecting a steep slump in the prices of commodities that constitute the main export revenue for the region. The period since 2000 was marked by an important increase in international reserves, from $35 billion in 1990 to a peak of $202 billion in 2013, and a corresponding improvement in the reserves to short-term debt ratio from 110 per cent in 2000 to 368 per cent in 2013. As the commodity boom has reversed in recent years, the amount of international reserves decreased to $170 billion in 2015, and the ratio of reserves to short-term debt worsened, to 291 per cent.

5. As in other regions, in Latin American and the Caribbean, GDP growth has slowed since the global financial crisis, declining from average annual growth rates of 3.5 per cent between 2000 and 2008, to 3 per cent annually over the period from 2009 to 2015. In 2015, the region experienced its worst contraction in recent memory as nominal GDP shrunk by 13 per cent, with a corresponding drop in exports. Total debt stocks reached $1.77 trillion in 2015, up from $760 billion in 2000. The debt service to exports ratio continued its long-term downward trend in the post-crisis period, reaching a low of 16 per cent in 2014, from 39 per cent in 2000. However, the continuing commodity price slump led to an increase of the ratio to 21 per cent in 2015. Total debt to GDP dropped to 21 per cent in 2008 from 36 per cent in 2000, but has been increasing since 2010 to reach 34 per cent in 2015. The region also experienced a sizeable increase in international reserves to $793 billion in 2015, from $157 billion in 2000.

6. The Middle East and North Africa registered the weakest growth of total debt stocks of any of the regions, reaching $195 billion in 2015, up from $144 billion in 2000, owing to a decline in total external debt stocks of 8.8 per cent and 15.3 per cent in 2006 and 2007, respectively. The region holds the smallest share of total external debt of all developing countries, and total debt to GDP ratios decreased substantially during the period. After a high of 38 per cent in 2000, the ratio registered a steady decline to 15 per cent in 2014, with only a slight increase to 16.4 per cent in 2015. The debt service to exports ratio also registered a steady improvement, declining from 15 per cent in 2000 to 7.5 per cent in 2015. International reserves increased almost sixfold during the period, from $60 billion in 2000 to $400 billion in 2013, but have since pulled back somewhat, to $347 billion in 2015. Correspondingly, the ratio of reserves to short-term debt improved dramatically, from 252 per cent in 2000 to 928 per cent in 2015, which represents the highest reserves coverage of short-term debt of any of the regions.

7. In East Asia and the Pacific total debt stocks increased from $497 billion in 2000 to $2.3 trillion in 2015, with average annual growth rates of 7.4 per cent between 2000 and 2008 and an acceleration to an average 13.1 per cent from 2009 to 2015. In spite of the rapid growth of the debt stock, total debt to GDP ratios have declined from 29 per cent in 2000 to 17.3 per cent in 2015 as the region has benefited from robust economic growth. Similarly, the debt service to exports ratio has declined significantly, from 13.6 per cent in 2000 to 4.3 per cent in 2015.

8. The impressive increase in international reserves in East Asia and the Pacific, from $277 billion in 2000 to almost $4 trillion in 2015, has meant that the reserves

to short-term debt ratio remained above 250 per cent during the entire period, peaking at 631 per cent in 2008 and dropping to 330 per cent in 2015. However, there are large differences among countries, as over the past 15 years China's share of total debt stocks of the region increased from 30 per cent in 2000 to 62 per cent in 2015, and its regional share of international reserves increased from 61 per cent in 2000 to 87 per cent in 2015. Excluding China from the regional average, although there is an improvement in all indicators over the 15 year period, debt ratios are higher, with total debt to GDP hovering above 30 per cent over the past 10 years and reaching 40 per cent in 2015, while debt service to exports have oscillated between 6.5 per cent and 10 per cent since 2007. International reserves in the region, excluding China, increased from $109 billion in 2000 to a peak of $542 billion in 2012, while the reserves to short-term debt ratio reached a high of 450 per cent in 2006 just before the onset of the financial crisis, but had halved to 220 per cent by 2015.

9. The total debt stocks in the small island developing States are estimated to have increased five-fold in the past 15 years, reaching $53 billion in 2015, from $10.8 billion in 2000. In terms of debt ratios, this is the only region that does not exhibit an improvement over the period 2000 to 2015 and it continues to have the most worrisome debt ratios of any of the regions. Total debt to GDP increased from 45 per cent in 2000 to 85 per cent in 2015, while debt service to exports worsened from around 13 per cent in 2000 to 20 per cent in 2015. International reserves to short-term debt stood at 290 per cent in 2000 and improved to 405 per cent in 2005, but then began to contract and had dropped to below 156 per cent in 2015.

B. Changes in external debt composition, 2000-2015

10. The external debt sustainability of developing countries is affected not only by the evolution of total debt stocks and debt-servicing burdens relative to their growth and export performances, but also by the composition of their external debt. This has changed considerably over the past 15 years, largely owing to increased access to international financial markets.

11. Thus, the share of external public and publicly guaranteed debt owed to private creditors accounted for 41 per cent of the total in 2000, but had increased to 62 per cent by 2015. The shift towards raising public sector finance in developing countries from the private sector rather than from official bilateral and multilateral creditors has not been equal across the regions.

12. In the Middle East and North Africa, the proportion of public and publicly guaranteed debt owed to private creditors rose from 21 per cent in 2000 to 37 per cent in 2015, effectively returning the region to the state of affairs from the beginning of the 1990s, when 36 per cent of such debt was owed to private creditors. Latin America started the period at an elevated ratio of 65 per cent in 2000 and increased it to 74 per cent in 2015, registering the second largest share of public and publicly guaranteed debt owed to private creditors of any regional group. However, the biggest increases during the 15 year period took place in Europe and Central Asia, where the share of public and publicly guaranteed debt owed to private creditors increased from 42 per cent to 76 per cent. South Asia registered an increase in that ratio from 24 per cent to 39 per cent and sub-Saharan Africa from 16 per cent to 42 per cent over the same period.

13. Furthermore, bond debt now constitutes an important share of public and publicly guaranteed debt in developing countries as a group, having increased from 24 per cent in 2000 to 43 per cent in 2014.[1] In Europe and Central Asia, bond debt as a share of public and publicly guaranteed debt increased from 29 per cent in 2000 to 48 per cent in 2014, and over the same period, from 6 per cent to 28 per cent in sub-Saharan Africa. Latin America and the Caribbean witnessed a further rise from an already high share of 49 per cent to 52 per cent, whereas the Middle East and North Africa saw a steady increase from 7 per cent to 30 per cent. In South Asia the ratio climbed from 8.1 per cent to 23 per cent, and in East Asia and the Pacific from 13 per cent of public and publicly guaranteed debt in 2000 to 47 per cent in 2014.

14. Short-term debt as a share of total external debt in developing countries overall has been increasing progressively, from 14 per cent in 2000 to 31 per cent in 2014, but decreased to 27 per cent in 2015. This trend, most pronounced in East Asia and the Pacific, is worrying, as short-term debt carries higher rollover risk and increases countries' exposure to global interest rate changes.

15. The period since 2000 was also marked by an important increase in private non-guaranteed debt as a share of total long-term external debt stocks. For developing countries overall, the share rose from 28 per cent in 2000 to 49 per cent in 2015. In some regions, the increase has been extremely rapid. For example, in sub-Saharan Africa, private external debt increased sevenfold, from $10 billion in 2000 to approximately $70 billion in 2015. In South Asia, it rose from 12 per cent to 46 per cent, in East Asia and the Pacific from 35 per cent to 54 per cent, and in Europe and Central Asia from 25 per cent to 60 per cent over the same period.

II. Least developed countries

16. The total external debt stock of the group of 48 least developed countries grew by 72 per cent in nominal terms, from $141 billion in 2000 to $242 billion in 2015. However, during that period, the ratios of total external debt stocks to both GDP and to exports fell significantly, from an average of 70.7 per cent and 316.8 per cent, respectively, at the beginning of the period, to 27.3 per cent and 120.2 per cent in 2015. Given that the majority of the sovereign external debt of the least developed countries is on highly concessional terms, their debt-servicing burden has been low compared to the average of all developing economies. The ratios of debt service to GDP and to exports also fell during the period 2000 to 2015, from 2.6 per cent in 2000 to 1.6 per cent in 2015 for debt service to GDP, and from 11.6 per cent to 7.3 per cent for debt service to exports.

17. However, the overall picture tends to hide an incipient reversal of fortunes since the onset of the global financial crisis. Up until 2008, strong GDP growth, averaging 7 per cent per year between 2000 and 2008, as well as high average export growth rates of 18.6 per cent, prevailed on the back of booming commodity prices and the impact of multilateral debt relief initiatives. Following the crisis and the downturn in commodity prices, the GDP and export growth rates of the least developed countries have slowed down markedly, to an average 5 per cent and 4.8 per cent, respectively, in 2015, resulting in increasing trends for both the ratio of total external debt to GDP (from 24 per cent in 2009 to 27.3 per cent in 2015) and of

[1] Latest year for which data are available.

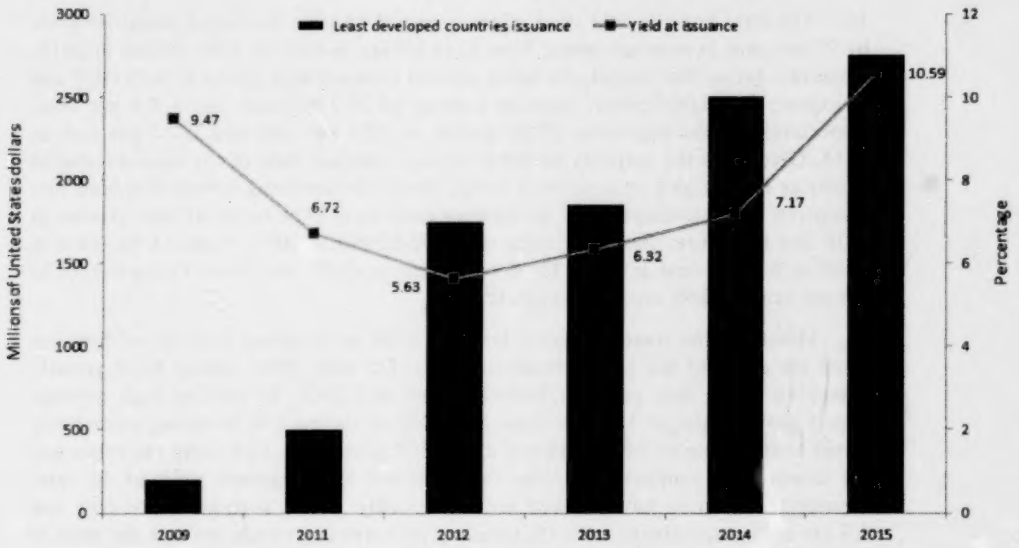
total external debt to exports (from 86.9 to 120.2 per cent). Similarly, the ratios of debt service to GDP and to exports rose again, after 2008, from 1.4 per cent to 1.6 per cent and from 5.5 per cent to 7.3 per cent, respectively.

18. Compared to the group of all developing countries (see annex for more information), the share of public and publicly guaranteed debt in total long-term external debt remains high in the least developed countries, but fell from 99.4 per cent in 2000 to 93.3 per cent in 2015. The share of such debt owed to private creditors also rose, from 8.4 per cent in 2000 to 15.8 per cent in 2015. This reflects the shift in the least developed countries towards borrowing via commercial loans and bond issuances in addition to conventional sources of financing, such as bilateral and multilateral loans. The proportion of commercial loans in total long-term debt increased from 4.8 per cent in 2000 to 13.8 per cent in 2015, while bond debt now constitutes 3.4 per cent of total long-term debt, having been non-existent in 2000.

19. In 2015, a number of the least developed countries (such as Angola and Zambia) continued to tap into international capital markets through the issuance of sovereign international bonds. The total issuance of sovereign international bonds in the least developed countries over the period since 2009 amounted to just under $10 billion. As can be seen in figure I, those economies have recently faced considerable increases in the yields on these bonds. Zambia, for example, issued $1.25 billion at 11.4 per cent in 2015 compared to 5.63 per cent for an issuance in 2012. Mozambique paid a yield of 14.4 per cent for its latest international bond issuance in June 2016.

Figure I

Least developed countries international sovereign bond issuance (2009-2015)



Source: United Nations Conference on Trade and Development (UNCTAD) secretariat calculations, based on analysis from Thomson Reuters Eikon.

Note: None of the least developed countries issued sovereign bonds in 2010.

III. Debt relief initiatives

A. Heavily Indebted Poor Countries Initiative and Multilateral Debt Relief Initiative

20. There has been no change in the status of the heavily indebted poor countries eligible for the Heavily Indebted Poor Countries Initiative since June 2015, the end of the previous reporting period. Progress under the Initiative has slowed tremendously, as 36 out of 39 countries have graduated. As of March 2016, the total cost of debt relief to creditors in present value terms, at the end of 2014, is estimated at $74.8 billion for the Heavily Indebted Poor Countries Initiative and $41.6 billion for the Multilateral Debt Relief Initiative.

21. Three eligible heavily indebted poor countries that have yet to reach the decision point (Eritrea, Somalia and the Sudan) have not yet benefited from debt relief. While there have been no new developments in the case of Eritrea, Somalia has made some progress and is preparing its poverty reduction strategy paper, but will need to clear its arrears owed to the International Monetary Fund (IMF) and the World Bank before becoming eligible for financial assistance. The Sudan remains eligible for debt relief but must first normalize relations with external creditors. In addition, Nepal also remains potentially eligible for debt relief, whereas Zimbabwe's eligibility remains unclear as the country's debt to exports ratio at the end of 2013 did not meet the initiative's criteria. Nonetheless, the country presented an arrears clearance strategy to external creditors in October 2015.

22. Many heavily indebted poor countries have experienced an increased risk of debt distress, according to IMF criteria. Among the 36 completion point heavily indebted poor countries, 8 countries were classified as being at high risk of distress in 2016 compared to 7 in 2015, 22 as being at moderate risk of debt distress, up from 18 in 2015,[2] and 5 countries are reported to be at low risk of debt distress, down from 11 in 2015. Debt-servicing burdens are also estimated to have risen in 2015, with the ratio of debt service to exports increasing from 4.7 per cent in 2014 to 5.9 per cent in 2015 and of debt service to GDP from 1.3 per cent to 1.5 per cent. The trend was expected to continue in 2016 As the Heavily Indebted Poor Countries Initiative winds down, questions arise as to how renewed debt problems in many of those countries will be addressed in the future.

B. Paris Club

23. There were only two Paris Club meetings over the past 12 months, reflecting the fact that the Heavily Indebted Poor Countries Initiative is winding down. In November 2015, Paris Club creditors met with the representatives of Grenada to reschedule arrears due as of October 2015 and maturities due between November 2015 and June 2017. Under the terms of the agreement, Grenada will repay the rescheduled amounts over 20 years, including 7 years of grace, for official development assistance (ODA) loans and over 15 years, including 8 years of grace, for non-ODA loans. The agreement includes an innovative clause that envisages calling for an independent assessment of the damage caused to the economy, should

[2] 2016 data for the Plurinational State of Bolivia are not available.

a hurricane strike Grenada. In case a new rescheduling is considered necessary, Paris Club creditors have agreed in principle to organize a new meeting to discuss Grenada's payment capacity.

24. In December 2015, a group of Paris Club creditors met with representatives of the Government of Cuba and reached an agreement on the repayment of arrears due to creditors present at the meeting, over an 18-year period. This is a significant step for Cuba, as it allows the resumption of activities by export credit agencies from the group of creditors that are party to the agreement.

IV. Official development assistance

25. In 2015, total ODA from Development Assistance Committee donors rose to $131.6 billion, representing an increase of 6.9 per cent in real terms from 2014. A significant proportion of the increase is attributed to funds allocated to aid for the 1.5 million refugees who claimed asylum in Organization for Economic Cooperation and Development (OECD) countries in 2015, accounting for 9.1 per cent of ODA in 2015, compared to 4.8 per cent in 2014. When excluding aid to refugees, ODA still increased by 1.7 per cent in real terms from 2014 to 2015.

26. ODA to the poorest countries increased by 4 per cent in real terms in 2015, reversing several years of decline. According to the Development Assistance Committee survey on forward spending plans, a large increase of country programmable aid in 2016, if implemented, will benefit all country groups but primarily the least developed countries and fragile States, whose country programmable aid is set to rise by 6 per cent in real terms. The survey indicates that the upward trend is expected to continue until 2019. Overall ODA, however, is forecast to rise at a slower rate for other developing country groups.

27. In the least developed countries, ODA still accounted for over two thirds of total external finance provided by OECD countries in 2013.[3] Stable and predictable flows of ODA will be crucial for the success of the 2030 Agenda for Sustainable Development. Safeguarding ODA for development and the reduction of poverty must remain a priority, as a larger number of objectives will be competing for limited resources. At present what is known as the principle of ODA additionality is at risk of being undermined. For example, it is currently common practice to merge climate-related finance with ODA budgets in donor economies, owing to perceived overlaps between development assistance and climate finance and a rather broad definition of ODA. While a number of internationally agreed documents state that new and additional climate finance will be needed, it remains unclear how climate finance additionality should be defined and recorded in ODA statistics. The Conference of the Parties to the United Nations Framework Convention on Climate Change has recognized, in a number of its decisions, that further work is necessary to clarify the concept of additionality.[4]

[3] Organization for Economic Cooperation and Development (OECD) data on taking stock of aid to least developed countries, 2015. Available from www.oecd.org/dac/financing-sustainable-development/Taking_stock_of_aid_to_LDCs_Flyer_2015.pdf.

[4] For more details, see United Nations Conference on Trade and Development (UNCTAD) "'New and additional' climate finance: a continuing lack of clarity", Policy Brief, No. 4 (December 2015). Available from http://unctad.org/en/PublicationsLibrary/presspb2015d15_en.pdf.

V. Challenges to debt sustainability in developing countries

28. Implementing the 2030 Agenda over the next 15 years is estimated to require financing of anywhere between $1.6 trillion and $7 trillion per year. To meet only the first of the Sustainable Development Goals, "End poverty in all its forms everywhere", by 2030, and assuming that savings, foreign direct investment (FDI) and ODA stay at current levels, GDP in Africa, for example, would have to grow at double digit rates of over 15 per cent per year.[5] Maintaining developing country debt sustainability will thus be of vital importance, if the goals are to be met on time.

29. At present, the broader picture for developing countries does not yet provide cause for undue alarm. The recent overall trend for external sovereign debt burdens to increase again is still fairly moderate. In addition to the success of the debt relief initiatives of the 1990s and 2000s, growth-oriented macroeconomic policies and public debt management played an important role in improving developing country public finances and enhancing their external debt sustainability.

30. However, similarly important until recently were highly favourable external factors. Exceptionally low international borrowing costs and booming demand for many export products combined to allow developing economies to lower both fiscal and external deficits for the best part of the past 15 years. The prolonged downswing in the current commodity super cycle and growing concerns over the continued lack of a sustained economic recovery in developed economies have substantially changed this external environment for the worse.

31. In the changing global economic context, new but substantial vulnerabilities to developing country debt sustainability are fast becoming apparent. Those growing risks are closely related to developing countries' rapid integration into international financial and capital markets over the past 15 years, under conditions in which global economic growth has primarily relied on building up public and private debt as a source of demand in the short term, rather than on jobs and income arising from long-term productive investment activity.

32. A core implication for developing country external debt sustainability is that improvements achieved in the more recent past may not last. New debt obligations have been built up under benign external conditions and in largely uncoordinated ways, creating a mix of public and private, direct and contingent liabilities, in both foreign and local currency denominations and with both resident and non-resident ownership claims attached to them. The mix could prove treacherous, should those claims have to be unraveled without any overarching legal frameworks in place to address them systematically.

33. The new challenges to developing country overall debt sustainability, arising from increasingly closer links between private and public, and between domestic and external components of debt, are explored in greater focus below.

[5] *Economic Development in Africa Report 2016: Debt Dynamics and Development Finance* (United Nations publication, Sales No. E.16.II.D.3).

A. Shifting to domestic public debt: opportunities and risks

34. Recently, many governments in developing countries have shifted from issuing international debt in foreign currency to domestic debt in local currency. While the availability of data for domestic debt in developing economies is notoriously poor,[6] broad trends can be discerned. Thus, data published by the Bank for International Settlements for 65 developing and emerging countries[7] show that the share of domestic debt securities in total debt securities rose from around 56 per cent in 2000 to 87 per cent in 2015. In the same period, international debt security issuance by central governments roughly doubled in those countries, from $345.8 billion to $710 billion. By contrast, for a subset of 21 countries for which such data are available, domestic debt issues by central governments increased more than tenfold, from $518.3 billion in 2000 to $5.3 trillion in 2015 (see table below).

Outstanding total debt issues in developing countries by sector, 1990-2015

(Billions of United States dollars)

	1990	*2000*	*2007*	*2010*	*2015*
Domestic (all issuers)	121.6	704.3	5 617.2	8 756.4	12 388.4
General government	95.7	518.3	3 002.3	4 303.0	5 311.1
Financial corporations	13.3	116.6	1 966.6	3 038.0	3 908.0
Non-financial corporations	12.6	69.4	648.4	1 415.4	3 169.3
International (all issuers)	99.4	539.5	892.4	1 092.7	1 817.6
General government	67.3	345.8	456.4	535.6	709.9
Financial corporations	22.9	84.8	243.6	284.2	581.0
Non-financial corporations	9.2	108.9	192.4	272.9	526.6

Source: International banking and financial statistics database of the Bank for International Settlements.

35. For the group of low-income countries, IMF data for 74 countries show an increase in their domestic debt to GDP ratios from 14.1 per cent in 2007 to 15.1 per cent in 2014 overall, and from 14 per cent to 19 per cent for the so-called frontier low-income countries (i.e., countries with relatively more advanced access to international financial markets).

36. Until recently, greater reliance on domestic public debt and on domestic bond markets in particular, largely reflected a win-win situation primarily driven by large excess liquidity in international financial markets. Even though domestic borrowing is generally more costly than external borrowing in developing economies,

[6] In contrast to comprehensive databases on public external debt, analyses of domestic public debt in developing economies have been plagued by poor availability and quality of data, in part owing to a conventional emphasis on external borrowing as the main means of fiscal deficit financing in poor countries. Data on domestic debt not only remain scattered, but available data are also quite heterogeneous in terms of definition and coverage, such as the criteria to distinguish between domestic and external debt, the definition of the public sector, the type of government liabilities covered and the treatment of specific financial arrangements.

[7] Among the 65 countries are 19 high-income, 22 middle-income, 8 low-income and 2 least developed countries, as well as 14 transition economies, according to UNCTAD classifications available from: http://unctadstat.unctad.org/EN/Classifications.html.

governments can shift the currency risk to international lenders and reduce their vulnerability to exchange rate volatility. At the same time, international lenders in search of higher yields than are on offer in their home countries, in the context of strongly expansionary monetary policies, have been willing to lend under local jurisdictions and assume the currency risk. This also extends to international sovereign bond issuances by developing countries, a growing share of which have been issued in local currency since the late 2000s. As a consequence, the proportion of local-currency sovereign debt held abroad is now higher in many developing economies than it is in the case of reserve-issuers, such as Japan, the United Kingdom of Great Britain and Northern Ireland and the United States of America.[8]

37. An important corollary to the role of this global economic dynamic in the expansion of domestic bond markets is the growing presence of foreign investors in those markets. While broadening the investor base, non-resident investor appetite for domestic debt heavily depends on global financial conditions and fickle confidence in host markets. Unsurprisingly, non-resident ownership of local-currency marketable debt is primarily concentrated in high- and middle-income developing economies. Yet, for the very few lower-income economies for which such data are available, IMF reports from 2015 found that in two countries (Ghana and Senegal), foreign holdings amounted to around one third of domestic debt on average since 2009, and in three others (Nigeria, Uganda and Zambia) this rose from a low base to over 10 per cent of total domestic debt in recent years.

38. Developing countries switching from external to domestic public debt could also be trading a currency mismatch for a maturity mismatch. Many developing countries are unable to issue long-term government securities at a sustainable rate of interest, yet need to be in a position to pay off or roll over maturing and short-term obligations. This is in particular the case where domestic commercial banks with usually strong preferences for short-term portfolio allocation remain the dominant investor group in local currency bond markets, such as, for example, in much of sub-Saharan Africa.[9]

39. Moreover, in economies in which a large share of domestic debt is not indexed to inflation, governments may come under pressure to monetize budget deficits, driving up inflation and potentially triggering external debt crises. In addition, any domestic currency depreciations vis-à-vis the United States dollar will increase the value of ex post interest payments in domestic currency, further increasing the relative cost of domestic borrowing.

40. Higher productivity developing economies with already relatively deep domestic financial systems may be able to navigate at least some of those risks. Greater reliance on domestic indebtedness could therefore provide opportunities to proactively leverage cheap capital inflows while those inflows last and to mobilize domestic resources more effectively on their own terms for structural transformation and sustainable development. This is much less likely in poorer developing economies with shallow domestic financial systems, where greater reliance on

[8] Yilmaz Akyüz, "Internationalization of Finance and Changing Vulnerabilities in Emerging and Developing Economies", United Nations Conference on Trade and Development Discussion Paper, No. 217 (Geneva, UNCTAD, November 2014).

[9] Kathrin Berensmann, Florence Dafe and Ulrich Volz, "Developing local currency bond markets for long-term development financing in Sub-Saharan Africa", *Oxford Review of Economic Policy*, Vol. 31, No. 3-4, (2015) pp. 350-378.

domestic debt primarily signals insufficient access to external finance on sustainable terms.

41. Finally, increased reliance on domestic public debt raises complications for sovereign debt restructurings. External and domestic debts are no longer clearly separable, in terms of owners, currency denomination and legal governance frameworks. From an economic point of view, there are widely recognized arguments for treating domestic debt under local jurisdictions separately from external sovereign debt, essentially to avoid a deepening of economic contraction in the wake of the turmoil caused by external debt crises. But with an increasing proportion of locally issued public debt now held by non-residents externally, questions arise, for example, as to whether to differentiate between resident and non-resident holders of local-currency debt. While outright defaults on domestic debt in developing and emerging economies are rare, given the huge social and political costs of such defaults, these are issues that will need to be addressed more systematically in the context of ongoing debates about sovereign debt restructurings.

B. Rapid growth of private debt

42. As reported in section I, private non-guaranteed debt has risen markedly as a share of total long-term external debt stocks across developing economies since 2000. This covers both firm and household debt. While the specific dynamics through which substantial increases in firm and household indebtedness may affect governments' external debt position differ, a marked overall increase in private indebtedness is highly likely to eventually undermine public sector finances, in particular in the absence of national or international legal frameworks to systematically address the contingent liabilities of the public sector.

1. Rising indebtedness of non-financial corporations in emerging market economies

43. Of particular concern at present is the fast growing debt of non-financial corporations in major emerging economies. According to IMF,[10] this rose from $4 trillion in 2004 to well over $18 trillion in 2014 across major emerging market economies. The Bank for International Settlements puts the figure at $25 trillion by the end of 2015, up from $9 trillion at the end of 2008.[11] The increasing reliance of non-financial corporations in developing economies on debt to finance investment is also apparent in the marked rise of their debt-to-equity ratios since 2010, when the ratios had contracted sharply immediately following the global financial crisis.[12]

44. As with the expansion of public domestic debt, the core driver of accelerated corporate indebtedness in developing economies has been excess liquidity in the international financial markets, coupled with the continued deregulation of developing country financial systems.

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[10] International Monetary Fund, *Global Financial Stability Report: Vulnerabilities, Legacies and Policy Challenges: Risks Rotating to Emerging Markets* (Washington, D.C., October 2015).

[11] Bank for International Settlements, statistics on credit to the non-financial sector, updated 6 June 2016.

[12] See also UNCTAD, *Trade and Development Report, 2016*, chapter V (United Nations publication, forthcoming).

45. Specifically, the expansion of corporate external balance sheets and the rise of debt-to-equity ratios seems to have been closely related to the extensive use of quantitative easing programmes in advanced economies since 2008. It is estimated that overseas United States dollar credit provided through bank loans and bonds reached $9 trillion by 2014.[13] Of that total, around $7 trillion are thought to have fuelled the expansion of United States dollar credits in emerging market economies.[14] Original and leveraged quantitative easing cash reached corporate balance sheets in emerging market economies through several channels. By driving down yields on treasury bills and, more generally, safe financial assets, central banks in developed economies sent asset managers and their clients on a search for higher yield and higher risk investments, such as corporate bonds in emerging markets. In addition, central banks also bought treasury bills and asset-backed securities from commercial banks, who went on to lend to financial institutions, such as hedge funds, with high-risk investment strategies aimed at leveraging that cash, for example through the carry trade. Finally, quantitative easing cash also found its way to emerging economies through FDI, in particular in the form of intra-company loans that made up around 40 per cent of FDI in countries such as Brazil and China in 2014.[15]

46. While in most cases corporate debt has primarily been contracted in international financial markets and foreign-denominated currencies, China is the exception. Its corporate debt increased by around 30 percentage points of GDP from 2009, reaching 170 per cent of GDP by 2015. However, the bulk of the debt is held by state-owned enterprises with domestic banks or in domestic-currency bonds.

47. With the end of the United States Federal Bank's major asset purchasing programmes in 2014, many emerging market corporates have found themselves landed with substantial excess capacities and rising debt-servicing costs. With the exception of China, whose external debt burdens remain negligible, the main danger posed to the sustainability of external public debt of affected economies is the growing number of corporate bankruptcies and the transfer of unsustainable corporate debt onto public balance sheets.

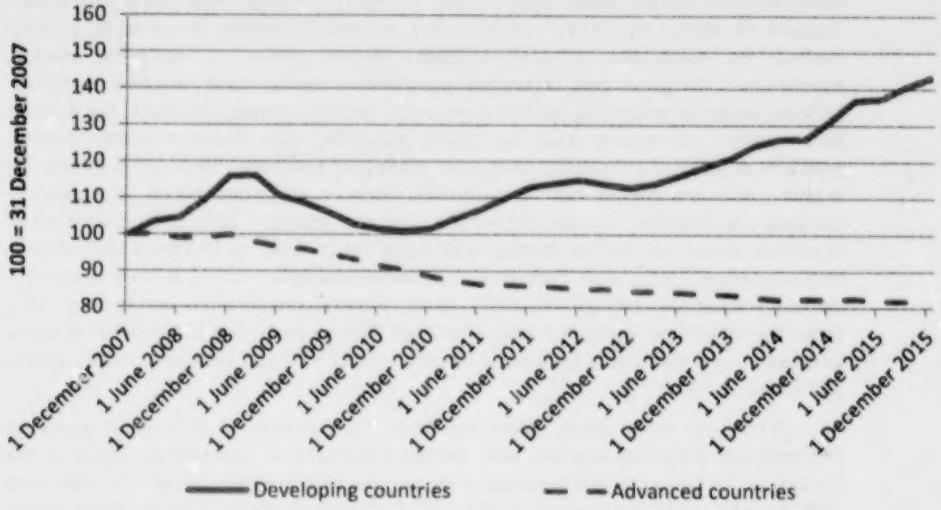
48. Figure II charts the debt service ratios of non-financial corporations in large developing economies between the of end 2007 and the end of 2015. Debt service ratios reflect the share of sectoral income used to service debt and are generally considered to be a reliable warning indicator of pending banking crises.

[13] Robert N. McCauley, Patrick McGuire and Vladyslav Sushko, "Global dollar credit: links to US monetary policy and leverage", BIS Working Paper, No. 483 (Basel, Switzerland, Bank for International Settlements, January 2015).

[14] Jonathan Wheatley and James Kynge, "Emerging markets: Deeper into the red", *Financial Times*, 16 November 2015.

[15] Michael Chui, Emese Kuruc and Philip Turner, "A new dimension to currency mismatches in the emerging markets: non-financial companies", BIS Working Paper, No. 550 (Basel, Switzerland, Bank for International Settlements, March 2016).

Figure II
Debt service ratio average for the private non-financial sector since the financial crisis



Source: Statistics on debt service ratios of the Bank for International Settlements and UNCTAD secretariat calculations.

Note: Advanced countries include Germany, Japan, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Developing countries include Brazil, China, India, Indonesia, Malaysia, Mexico, the Russian Federation, South Africa, Thailand and Turkey.

2. Growing occurrence of microdebt crises

49. A further development that so far has garnered only limited attention is the growing incidence of microdebt crises in many developing economies. Microcredit is the provision of a small loan, a microloan, to people living in poverty, in order to enable individuals to establish income-generating projects, thereby escaping poverty.[16] By the mid-2000s, microcredit had come to be regarded as the most important anti-poverty and local economic development intervention in developing economies.

50. More recently, a growing number of microcredit meltdowns in developing countries has undermined confidence in the microcredit model. Microdebt crises manifest themselves through a widespread fall in the amount of repayments on microloans as a percentage of disposable income and a substantial increase in defaults on microloans, as indicative of overindebtedness in the microsector of the economy.

51. Examples of developing and emerging countries that have experienced an acute crisis of overindebtedness in their microsectors include Bangladesh (2008 and 2009), Bolivia (Plurinational State of) (1999), Bosnia and Herzegovina (2008 and

[16] Strictly speaking, the term microcredit has been redefined as just one aspect of a wider set of interventions, including microsavings, microinsurance and microleasing that come under the umbrella term microfinance. However, both terms are often used interchangeably.

2009), India (Andhra Pradesh, 2006), Morocco (2009), Nicaragua (2007), Pakistan (2009) and South Africa (2014). Other developing countries, such as Azerbaijan, Cambodia, Colombia, the Dominican Republic, Ghana, Kyrgyzstan, Mexico, Mongolia, Peru, the Philippines, Senegal and Uganda are experiencing growing difficulties of client overindebtedness and of defaults in their microsectors.

52. The main cause of such microdebt crises is a systematic mismatch between the fast expansion of credit supply to microsectors, not least through supply-driven anti-poverty programmes, and the much more lacklustre growth of effective demand or purchasing power for the outputs of those sectors. The main rationale behind microcredit is the assumption that the demand to absorb the additional supply of products and services generated by microcredit will be automatically forthcoming.

53. That this has not been the case, overall, is largely explained by the fact that microsectors in developing economies have been characterized by hypercompetitiveness between mostly informal enterprises, keeping wages and returns in low productivity microsectors to survival levels for the vast majority and, eventually, prompting rising incidences of defaults. Such hypercompetitiveness between microenterprises has been reinforced by the lack of coordinated efforts to formalize those sectors through explicit governance structures and regulation. As a consequence, microcredit has increasingly underpinned debt-financed basic consumption spending, rather than microlevel productive investment financing. While there is no agreed definition as to what constitutes overindebtedness in those sectors, it is clear that household debt has risen sharply again following the global financial crisis, by around $7.7 trillion, with the bulk of the increase ($6.2 trillion) attributable to developing economies.[17]

54. Furthermore, the occurrence of natural and other disasters has played a non-negligible role in the most serious instances of microsector-led overindebtedness. In the aftermath of earthquakes, tsunamis and conflict, there has often been a widespread deployment of microcredit in order to attempt to rebuild shattered communities and the small-scale business sector. For example, levels of overindebtedness attributable to easy access to microcredit shot up very rapidly in post-tsunami Asia in 2004 and in post-earthquake Haiti in 2010.

55. The financial fragility of the microsectors in developing countries has the potential to affect wider debt sustainability in developing economies for a number of reasons. For the most part, the prevention of microdebt crises places a considerable burden on already stretched fiscal budgets at domestic levels to bail out the core financial players in those microsectors. Moreover, the explosive growth in the global microcredit sector since around 2000 has been greatly underpinned by external borrowing. After initially relying on donor funds and government subsidies, the first commercial microcredit fund made available to investors was launched in 1998 and since then, there has been a rapid expansion in external funding opportunities for microcredit institutions. The external funding is as much subject to global financial instabilities and volatility as any other type of funding.

[17] Institute of International Finance, "Capital Markets Monitor: Key Issues, November/December 2015" (Washington, D.C., Institute of International Finance, 5 November 2015).

VI. Conclusions and policy recommendations

56. As the global economic environment is set to remain unstable, it is becoming more difficult for developing economies to leverage debt financing for sustainable development. At the same time, the international community has adopted the most ambitious development agenda yet, the 2030 Agenda for Sustainable Development. In this context, it is more essential than ever to proactively protect the ability of developing economies to continue to leverage debt financing for sustainable development.

57. Increased access to private capital by developing countries reflects achievements in development over the past quarter of a century, but rapid integration into the global financial system has come at a cost. In addition to heightened exposure to market risks and a high systemic risk of contagion, fast integration into international financial markets has also resulted in structural changes to the composition of developing country debt obligations. Those shifts, towards domestic and local-currency bond financing in public sectors, substantial non-resident participation in local currency bond markets and rapidly rising private firm and household indebtedness, tend to increase rather than mitigate overall risk exposure, with both direct and indirect spillover effects on external sovereign debt sustainability.

58. One aspect of such spillover effects that has thus far been largely neglected concerns developing country microdebt crises. Not least because the recent rise of new digital technologies and payment systems stand ready to effectively swamp the unbanked poor in developing countries with more microcredit than available at present, a reassessment of the role of microcredit as a poverty reduction policy is urgently required.

59. To properly assess both the opportunities and the dangers associated with these new challenges, it will be of utmost importance to improve the availability and quality of data and country coverage in a number of areas, including domestic public debt and both domestic and external private firm and household debt, as well as in terms of legal and regulatory features, such as ownership, currency denomination and jurisdictions. In this context, strengthening in particular so-called "downstream" public debt management capacities in developing economies, including the maintenance of debt databases, debt-data validation, debt operations, internal and external debt reporting, debt statistics and basic debt analysis, will be essential to allow developing economies to engage in appropriate risk management and hedging strategies.[18]

60. Improved availability, quality and transparency of data in this regard should also contribute to facilitating sovereign debt restructuring, where it becomes necessary. As highlighted in the present report, increasingly complex ownership structures of developing country debt mean that there is no longer a clear legal sense in which domestic and external sovereign debt obligations can be treated entirely separately. In addition, growing contingent public liabilities, arising from implicit public guarantees of private debt, including the role of public authorities as lenders of last resort in times of crises, also need to be taken into account more systematically. While recently renewed calls by some international organizations to

[18] For more detail, see A/70/278, section VI on debt management capacities.

retroactively include collective action clauses in all or most existing sovereign debt bonds are welcome, those proposals and others aiming to facilitate and streamline sovereign debt restructuring processes should be reviewed in a systematic and comprehensive manner by the international community. Pursuant to General Assembly resolution 70/190, the international community should therefore promote further opportunities to discuss such issues during the special event of the Second Committee on lessons learned from legislative steps taken by certain countries and other appropriate actions aimed at reducing the vulnerability of sovereigns to holdout creditors.

61. Finally, it should be noted that ODA remains a core source of developmental finance, in particular for the least developed economies. While some donor economies are currently facing exceptional demands on their fiscal resources, in particular in the context of migrant and refugee crises, a clear definition of the additionality of ODA commitments for general developmental purposes vis-à-vis more specific objectives, such as addressing refugee crises and climate change, is required. Here, too, the continuing lack of internationally agreed definitions makes data recording and policy analysis difficult.

Annex

External debt of developing countries

(Billions of United States dollars)

	All developing countries[a] and countries with economies in transition					*Sub-Saharan Africa*				
	2000-2015	*2012*	*2013*	*2014*	*2015[b]*	*2000-2015*	*2012*	*2013*	*2014*	*2015[b]*
Total debt stocks[c]	4 064.2	5 989.7	6 796.0	7 226.3	6 813.1	277.3	355.7	379.3	407.1	412.8
Long-term debt	2 943.3	4 110.3	4 536.5	4 857.5	4 852.1	220.9	282.4	302.4	325.2	331.1
Public and publicly guaranteed	1 660.5	2 078.8	2 299.0	2 436.0	2 472.4	178.3	201.9	224.4	246.2	261.8
Private non-guaranteed	1 282.8	2 031.5	2 237.5	2 421.5	2 379.7	42.6	80.5	78.0	79.0	69.3
Short-term debt	1 018.4	1 742.9	2 140.5	2 263.9	1 853.6	42.7	51.6	54.9	61.4	58.2
Arrears	81.3	68.7	63.5	67.1	66.2	34.6	28.4	29.9	27.5	28.3
Debt service	515.8	653.6	695.3	801.2	781.9	19.7	24.3	29.3	34.2	31.9
International reserves	3 787.6	6 401.8	6 903.9	6 839.0	6 284.4	122.3	198.9	202.0	187.3	169.5
Debt indicators (percentage)[d]										
Debt service/exports[e]	11.2	8.9	9.2	10.5	11.5	6.3	4.9	5.9	7.5	8.8
Total debt/exports	88.3	81.8	89.8	94.8	100.1	87.6	71.5	75.5	88.4	112.5
Debt service/GDP	3.2	2.6	2.6	2.9	2.9	2.0	1.5	1.8	2.0	2.1
Total debt/GDP	25.5	23.5	25.1	25.9	25.5	28.0	22.6	22.8	23.6	26.7
Reserves/short-term debt	369.1	364.7	320.4	300.2	337.2	286.5	385.4	368.0	305.1	291.1
Reserves/M2[f]	26.7	26.3	25.4	23.5	21.0	35.6	37.9	38.8	34.5	34.6

	Middle East and North Africa					*Latin America and the Caribbean*				
	2000-2015	*2012*	*2013*	*2014*	*2015[b]*	*2000-2015*	*2012*	*2013*	*2014*	*2015[b]*
Total debt stocks[c]	162.9	172.5	188.9	187.9	194.7	1 073.2	1 455.9	1 609.1	1 761.8	1 766.7
Long-term debt	127.5	130.4	146.5	141.3	147.2	896.1	1 222.2	1 360.5	1 494.5	1 513.2
Public and publicly guaranteed	120.6	121.3	136.6	131.8	140.3	506.9	603.4	664.5	751.3	790.0
Private non-guaranteed	6.9	9.1	9.9	9.5	6.9	389.2	618.8	696.1	743.1	723.2
Short-term debt	30.1	33.5	33.0	36.4	37.4	153.6	208.3	223.4	244.2	231.1
Arrears	4.9	1.4	2.1	2.5	1.5	21.6	21.3	21.7	16.6	17.0
Debt service	19.3	16.3	16.9	18.6	19.2	170.7	211.6	218.1	206.8	225.6
International reserves	262.6	389.5	400.3	389.8	346.9	472.2	803.8	802.6	830.7	793.3
Debt indicators (percentage)[d]										
Debt service/exports[e]	7.5	4.7	5.2	6.5	7.4	20.0	16.5	17.0	16.4	20.6
Total debt/exports	63.1	50.0	57.7	66.0	74.9	125.7	113.4	125.3	139.9	161.5
Debt service/GDP	2.2	1.2	1.3	1.5	1.6	4.4	3.6	3.6	3.4	4.3
Total debt/GDP	18.9	12.7	14.4	15.0	16.4	27.4	24.6	26.6	29.1	33.6
Reserves/short-term debt	871.6	1 163.2	1 212.2	1 072.1	928.2	307.3	385.8	359.1	340.0	343.1
Reserves/M2[f]	45.7	42.9	49.5	44.0	38.9	32.0	33.6	32.5	33.3	36.2

	East Asia and Pacific					South Asia				
	2000-2015	2012	2013	2014	2015[b]	2000-2015	2012	2013	2014	2015[b]
Total debt stocks[c]	1 188.3	1 906.0	2 291.2	2 633.7	2 277.7	343.0	527.5	570.0	610.8	641.4
Long-term debt	613.4	833.0	878.7	1 079.3	1 091.5	282.3	403.2	445.3	493.4	509.3
Public and publicly guaranteed	346.1	428.3	442.8	496.9	498.1	173.3	232.4	237.7	272.0	276.2
Private non-guaranteed	267.3	404.7	435.8	582.4	593.4	109.0	170.9	207.6	221.4	233.2
Short-term debt	565.3	1 063.3	1 403.0	1 545.5	1 175.3	50.9	105.9	109.1	103.2	118.2
Arrears	9.7	6.1	5.5	4.7	4.8	0.1	0.1	0.1	0.3	0.3
Debt service	105.7	145.5	117.4	142.0	153.5	39.3	39.4	50.9	103.1	110.5
International reserves	2 191.6	3 875.1	4 355.6	4 363.9	3 890.8	227.7	305.9	313.6	353.3	411.8
Debt indicators (percentage)[d]										
Debt service/exports[e]	5.2	4.4	3.3	3.8	4.3	12.2	7.4	9.1	17.6	21.8
Total debt/exports	58.2	57.1	64.4	70.6	63.6	106.3	99.0	101.3	134.4	126.3
Debt service/GDP	1.7	1.4	1.0	1.1	1.2	2.5	1.7	2.2	4.0	4.1
Total debt/GDP	19.1	18.0	19.6	20.9	17.3	22.1	23.1	24.3	23.8	24.1
Reserves/short-term debt	387.7	364.4	310.4	282.4	331.0	447.8	288.9	287.4	342.5	348.3
Reserves/M2[f]	22.5	22.7	22.0	20.0	16.8	21.2	18.5	18.5	19.1	20.9

	Europe and Central Asia					Least developed countries				
	2000-2015	2012	2013	2014	2015[b]	2000-2015	2012	2013	2014	2015[b]
Total debt stocks[c]	1 019.6	1 572.2	1 757.4	1 625.1	1 519.8	169.0	189.4	211.7	224.6	241.8
Long-term debt	803.1	1 239.0	1 403.2	1 323.8	1 259.8	141.3	159.3	178.0	192.2	206.4
Public and publicly guaranteed	335.3	491.4	593.1	537.8	506.0	136.5	151.4	169.7	181.9	192.7
Private non-guaranteed	467.8	747.6	810.1	786.0	753.8	4.7	7.9	8.2	10.3	13.7
Short-term debt	175.8	280.3	317.0	273.3	233.3	18.3	16.5	19.8	19.5	25.3
Arrears	10.3	11.4	4.3	15.5	14.3	33.5	30.0	30.3	28.9	29.9
Debt service	161.1	216.5	262.7	296.4	241.2	8.3	10.9	11.7	14.6	14.5
International reserves	511.1	828.6	829.7	714.1	672.1	63.4	107.9	116.7	115.8	110.7
Debt indicators (percentage)[d]										
Debt service/exports[e]	20.0	16.4	19.8	22.9	24.3	5.7	4.5	4.6	6.2	7.3
Total debt/exports	126.1	119.1	132.2	125.2	153.1	114.2	77.5	82.6	93.5	120.2
Debt service/GDP	6.9	5.7	6.6	8.1	8.4	1.6	1.4	1.4	1.6	1.6
Total debt/GDP	43.4	41.7	44.4	44.2	52.6	33.1	24.4	25.1	24.9	27.3
Reserves/short-term debt	274.3	279.7	247.1	245.9	273.8	345.8	653.9	589.6	593.1	436.8
Reserves/M2[f]	53.7	46.6	43.8	49.9	54.0	40.0	41.1	39.3	34.9	32.8

Source: United Nations Conference on Trade and Development secretariat calculations based on the World Bank International Debt Statistics 2016 (online database).

[a] Developing countries as defined in the International Debt Statistics publication.

[b] 2015 estimates.

[c] Total debt stocks include long-term debt, short-term debt and the use of IMF credit.

[d] Data used for ratio calculation have been adjusted according to country data availability.

[e] Exports comprise exports of goods, services and primary income.

[f] M2, in general terms, refers to money and "near money".

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Collaboration within the United Nations system on child protection

Report of the Secretary-General

Summary

The present report, submitted pursuant to General Assembly resolution 68/145, provides an overview of collaboration among various actors in the United Nations system in the area of child protection, since the previous report on the topic (A/68/253). It takes into account information provided by Member States and relevant entities of the United Nations system.

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I. Introduction

1. Collaboration among United Nations entities has led to definitive progress in the protection of children from violence, exploitation and abuse across the globe. Notwithstanding such advancements, children worldwide continue to face violations of their rights. Many root causes of harm to children, such as armed conflict, inequality, discrimination and harmful social norms, are long-standing and persistent. Children in today's world face unprecedented threats to their safety and well-being, given that serious incidents of violence continue to compromise their development, the number of protracted and new conflicts continues to grow, the global refugee and migration crisis presents perilous circumstances for children, including statelessness, forcible displacement and separation, the hazard of sexual exploitation through information and communications technologies is increasing and the threat of violent extremism imparts a pressing need for lasting solutions to poverty, poor governance, political grievances and the lack of opportunities for young people. In Europe and other regions, the refugee and migration crisis is taking a toll on children's lives and rights at a magnitude not seen since the end of the Second World War. In the Syrian Arab Republic and many other countries, the lives of millions of children are affected by conflict, violence and fear, with death, injury, displacement and the deprivation of education, health care and other basic rights occurring on a massive scale.

2. Strengthened collaboration within the United Nations system and in partnership with non-governmental organizations is essential for the effective prevention of and response to emergent child-protection challenges. Collaboration is also needed to capture such unique and timely opportunities as those presented by the 2030 Agenda for Sustainable Development, which addresses crucial protection concerns and includes for the first time in the international development agenda a specific target, under Sustainable Development Goal 16, on ending all forms of violence against children (target 16.2). Collaboration by the United Nations on national implementation efforts from the outset will support the implementation of the target.

3. The present report examines collaboration among United Nations actors on child protection and documents key results achieved since the previous report on the subject (A/68/253). It is presented at a strategic moment, given that 2016 marks 10 years since the issuance of the report of the independent expert for the United Nations study on violence against children (A/61/299) and 20 years since the holding of the first World Congress against Commercial Sexual Exploitation of Children and the issuance of the study on the impact of armed conflict on children (A/51/306).

II. Key mandates and roles

4. The United Nations Children's Fund (UNICEF) is mandated by the General Assembly to advocate for the protection of children's rights, help meet their basic needs and expand their opportunities to reach their full potential.[1] UNICEF is the

[1] The General Assembly established UNICEF by resolution 57 (I) of 11 December 1946 and subsequently expanded it by resolution 417 (V) of 1 December 1950 and resolution 802 (VIII) of 6 October 1953. Its work is guided by the Convention on the Rights of the Child, of 1989.

lead agency of the United Nations for child protection. It is also a member of the Global Protection Cluster and chair of the global child protection area of responsibility; the lead agency in the Inter-Agency Standing Committee of the Child Protection Working Group; co-lead, with the United Nations Population Fund (UNFPA), of the gender-based violence area of responsibility; co-lead of the Education Cluster; and a key member of the Inter-Agency Coordination Group on Mine Action. The contribution of UNICEF to national and international child protection efforts is defined by its child protection strategy (E/ICEF/2008/5/Rev.1). UNICEF has a programmatic presence in more than 190 countries, territories and areas. It co-chairs the country task forces on monitoring and reporting and has a leading role in country-level child protection subclusters and the monitoring and reporting mechanism on grave violations against children in situations of armed conflict.

5. The Office of the United Nations High Commissioner for Human Rights (OHCHR) is mandated to promote and protect the enjoyment and full realization, by all people, of all rights established in the Charter of the United Nations and international human rights laws and treaties, including the Convention on the Rights of the Child.[2] OHCHR carries out a range of programmatic activities through its field presence and monitors and reports on human rights violations, including those involving children. OHCHR is also a member of the Global Protection Cluster. In addition, it provides support to United Nations treaty bodies, including the Committee on the Rights of the Child, and the special procedures of the Human Rights Council.

6. The Office of the United Nations High Commissioner for Refugees (UNHCR) is mandated by the General Assembly to provide protection to refugees and, together with Governments, seek permanent solutions to the problems of refugees.[3] It supervises the application of international instruments for refugee protection, in particular the Convention relating to the Status of Refugees, of 1951. Over the years, the Assembly has expanded the mandate of UNHCR to various groups of people who are not covered by the Convention, including returnees, stateless persons and, in some situations, internally displaced persons.[4] UNHCR is the Global Cluster Lead Agency for Protection and the lead agency for the coordination of child protection in refugee settings. Responding to the specific needs of children is an operational priority and central to the mandate of UNHCR, particularly in the light of the high proportion of girls and boys among displaced and stateless populations and their unique protection risks.

7. The mandate of the Special Representative of the Secretary-General for Children and Armed Conflict was established by the General Assembly, in its resolution 51/77,[5] to enhance the protection of children affected by armed conflict and foster international cooperation. To that end, the Special Representative engages

[2] OHCHR is guided in its work by the mandate provided by General Assembly resolution 48/141, the Charter of the United Nations, the Universal Declaration of Human Rights and subsequent human rights instruments.

[3] See the Statute of the Office of the United Nations High Commissioner for Refugees contained in the annex to General Assembly resolution 428 (V).

[4] See OHCHR, Executive Committee Conclusion on children at risk, No. 107 (LVII), 5 October 2007.

[5] The General Assembly established the mandate of the Special Representative for a period of three years, in 1997. The Assembly has since extended the mandate five times.

with partners across the United Nations, raises awareness and conducts advocacy, including high-level engagement with parties to conflict regarding the use and recruitment of children and other grave violations. The Special Representative reports annually to the Assembly and the Human Rights Council and is the focal point for preparing the annual report of the Secretary-General, country-specific reports on children and armed conflict to the Security Council and quarterly updates to the Working Group of the Security Council on Children and Armed Conflict. The Special Representative also supports the Working Group with regard to conclusions on country-specific reports of the Secretary-General on children and armed conflict. The Special Representative chairs the Task Force on Children and Armed Conflict, which brings together senior managers from across the United Nations, and fosters collaborative relations with non-governmental organizations.

8. The Special Representative engages with sanctions committees and panels of experts to provide information on grave violations of the rights of children and brief sanctions committees when grave violations against children are criteria for designation in sanctions regimes. In some instances, they are combined briefings with the Working Group on Children and Armed Conflict or joint briefings with the Special Representative of the Secretary-General on Sexual Violence in Conflict.

9. The mandate of the Special Representative of the Secretary-General on Violence against Children is to promote the implementation of the recommendations of the United Nations study on violence against children, guided by General Assembly resolution 62/141.[6] The Special Representative pursues a multifaceted strategy to prevent and address children's exposure to violence, including protection from injury, neglect, ill-treatment, abuse and exploitation and any other form of violence in all contexts. The strategy is implemented through enhancing global understanding of the issue, supporting legal and policy action, addressing harmful social norms, enhancing partnerships and knowledge and promoting mainstreaming in the policy agenda. The Special Representative prioritizes three action areas to advance progress on the Sustainable Development Goals relating to the prevention of violence: (a) development of national strategies to prevent and respond to all forms of violence; (b) introduction of a legal ban on all forms of violence against children in all settings; and (c) consolidation of research and national systems for data collection, analysis and dissemination.

10. The Special Representative works to strengthen the ratification and implementation of international standards and support regional and national follow-up to the United Nations study on violence against children. Progress made in that regard is highlighted in the report on the global survey on violence against children, entitled "Toward a world free from violence". The Special Representative builds strategic partnerships, raises awareness, consolidates knowledge and conducts field missions to support national efforts and provide expert advice. The Special Representative chairs the Inter-Agency Working Group on Violence against Children, a unifying platform for consultation, policy formulation and the mainstreaming of concerns relating to violence against children that brings together all child protection actors of the United Nations system, including OHCHR, UNICEF, the United Nations Office on Drugs and Crime (UNODC), the World Health Organization (WHO) and the International Labour Organization (ILO).

[6] In 2012, the General Assembly, in its resolution 67/152, extended the mandate for a further three years.

11. In 1990, the Human Rights Council mandated the Special Rapporteur on the sale of children, child prostitution and child pornography to analyse the root causes and identify new patterns of the phenomena, exchange good practices to combat them and promote the prevention and rehabilitation of children.

12. Child protection actors of the United Nations system engage in such Organization-wide initiatives as the Human Rights Up Front initiative, follow-up to recommendations of the High-Level Independent Panel on Peace Operations and the advancement of the 2030 Agenda. They also contribute to the response of the United Nations to sexual exploitation and abuse by working with the Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse.

III. Normative framework and global commitments

13. International human rights instruments and standards and political commitments undertaken by the international community help to ensure the consistency and complementarity of child protection efforts across the United Nations system. Child protection actors of the United Nations system support the drafting, implementation and monitoring of relevant treaties and international standards to continually strengthen the normative framework. The inclusion of a target in the 2030 Agenda, under Sustainable Development Goal 16, on ending all forms of violence against children (target 16.2) stems from effective collaboration and joint advocacy.

14. UNICEF, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Representative of the Secretary-General on Violence against Children, OHCHR, the Committee on the Rights of the Child and the Special Rapporteur on the sale of children, child prostitution and child pornography have promoted the campaign for the universal ratification and implementation of the Convention on the Rights of the Child and its Optional Protocols, particularly on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, since the launch of the campaign, in 2010. The associated results demonstrate the potential beneficial impact of such joint initiatives.

15. For example, UNICEF, the Special Representative of the Secretary-General on Violence against Children and other partners joined the Pacific Conference on Ending Violence against Children, in 2015, which called for the ratification of the Optional Protocol on the sale of children, child prostitution and child pornography, among other things. With 36 additional ratifications since the launch of the campaign in 2010, a total of 173 States have ratified the Optional Protocol. The Special Representative of the Secretary-General for Children and Armed Conflict has promoted the ratification of the Optional Protocol on the involvement of children in armed conflict directly with national authorities and indirectly through regional bodies, creating momentum that has led to 13 new ratifications since 2014, bringing the total to 165 ratifications.

16. In 2015, UNICEF, the Special Representative of the Secretary-General on Violence against Children and OHCHR supported the League of Arab States in promoting the ratification process of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure in the Arab region. Finally,

South Sudan and Somalia became the 195th and 196th States parties to the Convention, bringing the achievement of universal ratification within reach.

17. Stemming from a collaborative effort of more than 20 entities of the United Nations system and other partners, the International Small Arms Control Standards are important new standards that provide clear, practical and comprehensive guidance to practitioners and policymakers on fundamental aspects of small arms and light weapons control, including those that specifically relate to child protection. The standards are used by the more than 20 entities of the United Nations system that make up the Coordinating Action on Small Arms.

18. The development of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice, adopted by the General Assembly in its resolution 69/194, is a collaborative effort supported by the Special Representative of the Secretary-General on Violence against Children, UNODC, OHCHR, UNICEF and others to improve standards of justice for children. Those entities continue to cooperate with regional organizations, government officials and civil society, including in Latin America and East Asia, on the dissemination and implementation of the Model Strategies. The Human Rights Council, OHCHR, the Commission on Crime Prevention and Criminal Justice, the Special Representative of the Secretary-General on Violence against Children and UNODC coordinate their activities relating to the administration of justice, in accordance with Assembly resolution 69/172.

IV. United Nations collaboration on child protection

A. Mechanisms of collaboration among child protection actors of the United Nations system

19. Several Headquarters-level mechanisms facilitate collaboration on child protection within and beyond the United Nations system. Principal among them is the child protection area of responsibility of the Global Protection Cluster, the Inter-Agency Working Group on Violence against Children and the Global Partnership to End Violence against Children. Other established mechanisms include: the Inter-Agency Coordination Group against Trafficking in Persons; the Global Partnership on Children with Disabilities; the Rule of Law Coordination and Resource Group; the Inter-Agency Working Group on Unaccompanied and Separated Children; the Global Migration Group; the Reference Group on Mental Health and Psychosocial Support in Emergency Settings; the Inter-Agency Network on Youth Development; the Inter-Agency Support Group on Indigenous Peoples' Issues; the Inter-Agency Coordination Group on Mine Action; and the Monitoring and Reporting Mechanism Technical Reference Group.

20. From 2006 to 2016, the child protection area of responsibility was the global-level forum for the coordination of humanitarian action on child protection in non-refugee situations, bringing together diverse partners, including the Department of Peacekeeping Operations, UNHCR, ILO, UNICEF, non-governmental organizations, academics and others. The membership of the area of responsibility developed an important body of work, including the Minimum Standards for Child Protection in Humanitarian Action, in 2012. Following an internal review process,

the membership of the area of responsibility formed the Alliance for Child Protection in Humanitarian Action, in 2016, co-led by UNICEF and a rotating international non-governmental organization member. The Alliance will provide technical leadership on child protection in humanitarian settings, including refugee contexts, as well as on preparedness and post-emergency transition and recovery, and will be the custodian of the Minimum Standards. The area of responsibility remains under UNICEF leadership, under the overall coordination of the UNHCR-led Global Protection Cluster, supporting the coordination of humanitarian efforts to protect children within the cluster coordination reference model of the Inter-Agency Standing Committee.[7]

21. The Global Partnership to End Violence against Children (#ENDviolence), launched in 2016, is a high-level mechanism for collaboration and the implementation at the country level of the Sustainable Development Goals that pertain to the safety and security of children. It brings together stakeholders from across the world to end abuse, exploitation, trafficking and all forms of violence against children. The Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General for Children and Armed Conflict, UNICEF, WHO and many other United Nations entities, as well as Governments, civil society organizations, foundations, leaders of the faith-based community, the private sector and young people participate in the Partnership, which is aimed at building political will, accelerating action and strengthening collaboration in order to change attitudes and social norms.

22. The Global Partnership on Children with Disabilities is a global multi-stakeholder coalition representing more than 260 organizations, including the child protection task force, which uses evidence-based advocacy and awareness-raising to reduce the risk of institutionalization for children with disabilities. The United Nations Partnership to Promote the Rights of Persons with Disabilities is another joint initiative aimed at strengthening the work done by United Nations agencies for persons with disabilities. Building on its membership in the Partnership, dozens of UNFPA country offices support persons with disabilities, including through the "We decide" programme, which promotes the rights and social inclusion of adolescents and young people, in particular girls, living with disabilities.

23. With respect to trafficking, the Inter-Agency Coordination Group against Trafficking in Persons brings together 16 member agencies, 6 of which also participate in the Inter-Agency Coordination Group working group to protect children from the threat of trafficking, including UNHCR, ILO, UNODC, the International Organization for Migration (IOM), UNICEF and OHCHR.

24. The Rule of Law Coordination and Resource Group brings together United Nations actors to promote the integration of such child protection concerns as the implementation of international standards, the promotion of accountability, guidance on early access to legal aid and the protection of children from violence in the justice system.

25. In addition to the formal mechanisms, child protection actors of the United Nations system engage regularly with Member States to strategize with regard to

[7] The Global Protection Cluster operations cell provides support to 28 field-level clusters, including subclusters on child protection, which are responsible for ensuring coherent protection programming in response to identified needs.

child protection challenges, meet with them to review priorities and organize joint panels and common positions on issues of shared concern. By designing and carrying out programmes that contribute to the safety and well-being of children, their efforts are mutually reinforcing. For example, the food assistance programmes of the World Food Programme provide life-saving food assistance in emergency, post-emergency and fragile contexts, thereby contributing to the creation of protective environments for children.

26. At the field level, United Nations agencies collaborate on the delivery of humanitarian assistance and child protection programmes. In 2015, they provided vital support in the area of child protection in all major humanitarian crises, including the massive population movements to Europe, which include a large influx of child refugees from the Middle East and North Africa. UNICEF, working closely with UNHCR and partners, established child-friendly spaces in six reception facilities and transit locations in the Western Balkans that provided stress management and psychosocial support, family reunification services and recreational and basic education activities for approximately 81,000 children. In Croatia, Serbia and the former Yugoslav Republic of Macedonia, tens of thousands of children at risk of sexual exploitation and abuse, including trafficking, benefited from safe spaces and information about the risks associated with trafficking.[8]

B. Cooperation in the context of the Committee on the Rights of the Child and the Human Rights Council

27. United Nations actors, particularly OHCHR, UNICEF, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Representative of the Secretary-General on Violence against Children and the Special Rapporteur on the sale of children, child prostitution and child pornography, collaborate on child protection with human rights treaty bodies, including the Committee on the Rights of the Child, the Human Rights Council and Special Procedures Division and the universal periodic review.

28. UNICEF is a key interlocutor with the Committee on the Rights of the Child, submitting reports, sending representatives to pre-session working groups and sessions, raising protection issues and supporting follow-up to the concluding observations made by the Committee. The two Special Representatives and the Special Rapporteur also cooperate with the Committee, meeting regularly with the Chair and members to exchange information, promote joint advocacy, advance thematic discussions and the development of general comments and support follow-up to the Committee's recommendations and concluding observations.

29. The Human Rights Council is another important forum for cooperation with and among child protection actors, including through interactive dialogue with mandate holders. Its annual day of discussion on the rights of the child includes thematic panels focusing on priority issues relating to child protection. In 2016, the focus of the panel was on protecting children from sexual exploitation through information and communications technology. The Special Representative of the Secretary-General on Violence against Children, UNICEF, the Committee on the Rights of the Child, the Special Rapporteur on the sale of children, child

[8] UNICEF, *Annual Report 2015*. Available from www.unicef.org/publications/index_92018.html.

prostitution and child pornography and OHCHR collaborated closely on the day of the discussion and called for a safe, inclusive and empowering digital agenda for children and the enhanced collaboration and monitoring of progress in that area. In another example, the Special Representative of the Secretary-General for Children and Armed Conflict briefed a special session of the Human Rights Council in 2014 on the situation in Iraq, providing an important opportunity to highlight protection concerns.

C. Advocacy, awareness-raising and outreach

30. Child protection actors work jointly and independently on advocacy, awareness-raising and outreach to promote awareness of child protection matters in relevant venues. Efforts include resource mobilization, information-sharing mechanisms and public information initiatives. A number of global initiatives are aimed at raising awareness of violence against children, including in situations of armed conflict, and promoting child protection at various levels.

31. In 2014, the Special Representative of the Secretary-General for Children and Armed Conflict and UNICEF launched the "Children, not soldiers" campaign, which is aimed at ending the recruitment and use of children by national security forces in conflict. The campaign has received broad support from Member States, United Nations actors, non-governmental organization partners, regional organizations and the general public. The Security Council and the General Assembly welcomed the campaign and requested regular updates through the report of the Special Representative.

32. As a result of the campaign's well-coordinated effort, armed forces have released hundreds of children and Governments have adopted new laws criminalizing underage recruitment, developed age-assessment mechanisms and conducted national awareness-raising campaigns. All eight of the campaign's original countries of focus have signed action plans committing to prevent and end the recruitment and use of children by national security forces, namely, Afghanistan, Chad, the Democratic Republic of the Congo, Myanmar, Somalia, South Sudan, the Sudan and Yemen. Notably, the National Army of Chad completed the requirements for the implementation of the action plan to end and prevent the recruitment and use of children by the national armed forces and, in 2014, was therefore delisted from the list contained in annex I to the annual report of the Secretary-General on children and armed conflict (see A/68/878, annex I). Subsequently, the United Nations and the Government of Chad agreed upon a protocol on the handover of children to ensure the protection of children separated from armed groups, including specific provisions regulating detention. Those standard operating procedures built on previous agreements signed with the Governments of Mali, Somalia and Uganda. Provisions on protection were also included in the concept of operations of the Multinational Joint Task Force established to fight Boko Haram.

33. The Special Representative, UNICEF, the country task forces on monitoring and reporting and other partners are working together to support the seven remaining Governments to implement action plans. Several have made progress. The Government of Afghanistan criminalized the recruitment of children and endorsed a road map for accelerating the implementation of its action plan and age verification guidelines. The Democratic Republic of the Congo named a presidential

adviser to address sexual violence and child recruitment and adopted a road map for accelerating the implementation of the action plan. Somalia ratified the Convention on the Rights of the Child, established a child protection unit in the national armed forces and set up a mechanism for handover to the United Nations of children found in its army. In Myanmar, close to 750 children and young people recruited as children have been released from the army, and the country signed the Optional Protocol to the Convention on the involvement of children in armed conflict.

34. United Nations actors, in particular UNICEF, the Special Representative of the Secretary-General for Children and Armed Conflict and members of field-level child protection subclusters, also engage with non-State armed groups regarding the recruitment and use of children and other child protection concerns, both in the context of and outside of peace processes. For example, the child protection subcluster engaged in advocacy with parties to the conflict in Kachin State in Myanmar to prevent the use of boarding houses and education facilities for military purposes.

35. Upon invitation, UNICEF and the Special Representative of the Secretary-General for Children and Armed Conflict engaged directly with parties to the Colombian peace process, the Government of Colombia and Fuerzas Armadas Revolucionarias de Colombia — Ejército del Pueblo, in Havana. Following sustained advocacy by the Special Representative and the country task forces on monitoring and reporting, co-chaired by UNICEF and the Resident Coordinator, the group committed to stop the recruitment and use of children under 18 years of age and to release children under 15 years of age. In 2016, the Special Representative and UNICEF witnessed the signing of the agreement between the Government and the group to separate and reintegrate all children under 18 years of age associated with the group. The Special Representative, UNICEF and IOM are supporting the preparations for the release of the children from the group.

36. UNICEF partners with ILO on economic reintegration activities for children formerly associated with armed forces or armed groups in order to identify alternative youth employment and livelihood strategies. The Special Representative of the Secretary-General for Children and Armed Conflict also engages with United Nations commissions of inquiry to share information and strengthen investigations and with IOM and others to include provisions on the reintegration of children in relevant programming.

37. The goals of the UNFPA-UNICEF Global Programme to Accelerate Action to End Child Marriage, launched in 2016, are to enable girls at risk of child marriage to choose and direct their own futures, support households in demonstrating positive attitudes towards adolescent girls and strengthen service delivery systems. It also seeks to use robust data to inform policies and laws so that they promote the rights of adolescent girls. The Programme targets girls (ages 10 to 19) at risk of child marriage or already in union in 12 countries, including Bangladesh, Burkina Faso, Ethiopia, Ghana, India, Mozambique, Nepal, the Niger, Sierra Leone, Uganda, Yemen and Zambia, and contributes to progress towards the achievement of the Sustainable Development Goal 5 target on harmful traditional practices, including child marriage (target 5.3). The adoption by the Human Rights Council in 2015 of a new resolution recognizing child marriage as a violation of human rights is also a noteworthy development.

38. Together for Girls is a global private-public partnership that includes five United Nations agencies. It is aimed at ending violence against children, especially sexual violence against girls, using surveys on violence against children to gather and present comprehensive data to support the development and implementation of country-level policy and action plans. The Special Representative of the Secretary-General on Violence against Children conducts high-level advocacy missions to support collaboration and the development of and follow-up to the surveys.

39. On the basis of consultations with stakeholders, including UNICEF, the United Nations Entity for Gender Equality and the Empowerment of Women and UNDP, UNHCR launched the "#IBelong" campaign to end statelessness in 10 years, in 2014. The campaign's global action plan provides a framework for achieving its goals, including actions relating to the prevention and reduction of childhood statelessness. In 2016, UNHCR and UNICEF formed a new coalition to address childhood statelessness and every child's right to a nationality.

40. Advocacy and increased awareness also drive multi-country efforts relating to online sexual exploitation of children. The global programme to address online child sexual exploitation builds the capacity of Governments, civil society and the private sector to tackle the issue. UNICEF, in collaboration with partners, implements the programme in 17 countries, with the support of the Government of the United Kingdom of Great Britain and Northern Ireland, under the WePROTECT global alliance to end the sexual exploitation of children online and the active participation of the Special Rapporteur on the sale of children, child prostitution and child pornography. As a result of the second WePROTECT Children Online Global Summit, held in the United Arab Emirates in 2015, 70 countries have signed global commitments to protect children from online sexual exploitation and implement a coordinated response at the country level.

41. The Office of the Special Representative of the Secretary-General on Violence against Children facilitated the preparation of the report of the Secretary-General on protecting children from bullying, including cyberbullying, in collaboration with numerous partners, notably UNICEF, WHO, the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Committee on the Rights of the Child, national child rights organizations, civil society and academic institutions. The report was prepared pursuant to the request made by the General Assembly in its resolution 69/158. The preparation entailed an expert consultation, undertaken in 2016 in cooperation with the UNICEF Office of Research — Innocenti, and work with over one-hundred thousand users of the UNICEF U-Report social messaging tool based on short message service (SMS) technology, who are known as "U-Reporters", to ensure the representative participation of children and young people. The collaboration has helped to identify significant developments, pressing challenges and areas for action for the prevention of and response to bullying and cyberbullying.

42. Additional multi-stakeholder advocacy and awareness-raising initiatives include No Lost Generation, a partnership of United Nations agencies, non-governmental organizations, Governments, donors, the private sector and young people, launched in 2013 to articulate concerns and advocate for opportunities for children affected by the crisis in the Syrian Arab Republic; the 2015 road map for the Call to Action on Protection from Gender-based Violence in Emergencies; the Joint Programme on Female Genital Mutilation/Cutting; and the Every Hour

Matters campaign to increase awareness about the need for timely access to post-rape care, including for girls.

43. To mark the tenth anniversary of the issuance of the United Nations study on violence against children and accelerate progress in the achievement of target 16.2 of Sustainable Development Goal 16, the Special Representative of the Secretary-General on Violence against Children, in cooperation with United Nations entities, Governments, civil society and children, launched the High Time to end violence against children initiative, in 2016. The social mobilization initiative builds upon the actions of Governments and other key stakeholders, striving to close the gap between political commitments and action and promoting a culture of respect for children's rights and zero tolerance for violence.

D. Law reform to safeguard children from violence, exploitation and abuse

44. Child protection actors of the United Nations system push for national legislation reform to prohibit all forms of violence against children, ensure children's protection, recovery and reintegration and hold perpetrators to account. The Special Representative of the Secretary-General on Violence against Children, OHCHR, UNICEF, ILO, the Special Rapporteur on the sale of children, child prostitution and child pornography and others provide technical support for law reform to Member States in the fields of juvenile justice, family law, alternative care, protection from child labour, harmful practices, trafficking, sale, sexual exploitation and corporal punishment and other areas.

45. The number of countries with a comprehensive legal ban on violence against children is increasing. By the end of 2014, 71 countries supported the strengthening of systems of justice for children, with 10 countries adopting progressive laws. In addition, 58 countries reported adopting alternative care policies consistent with the 2009 guidelines, more than 50 countries prohibited all forms of violence against children, including corporal punishment in the home (compared with 36 in 2013) and at least 54 more States expressed a commitment to full prohibition.[9] The global conference hosted by the Government of Austria under the theme "Towards childhoods free from corporal punishment" in 2016 stimulated further progress by gathering high-level representatives of approximately 70 countries, the Special Representative of the Secretary-General on Violence against Children and other child protection leaders.

46. Nine countries — Algeria, Argentina, Bolivia (Plurinational State of), the Dominican Republic, Ecuador, Ghana, Kenya, Mongolia and Oman — have promoted legal reforms to strengthen the protection of children from child labour, following the participation of over 150 Member States, UNICEF, the Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General for Children and Armed Conflict, international and regional organizations, non-governmental organizations and civil society actors in the third Global Conference on Child Labour, held in Brasilia from 8 to 10 October 2013, which culminated in the Brasilia Declaration on Child Labour. In India, United Nations actors have collaborated to support the

[9] See www.endcorporalpunishment.org.

Government's roll-out of the Right to Education Act and the integrated child protection scheme. Also, the 15 years of collaborative action against child labour by UNICEF and ILO culminated in 2015 with nearly 15.5 million children — almost three times more than originally planned — having been reached through education, child protection and communication for development programmes.

47. Together with other strategies, legislative reform contributes to efforts to end the practice of female genital mutilation/cutting. The UNFPA-UNICEF Joint Programme on Female Genital Mutilation/Cutting supports the establishment and enforcement of legal and policy frameworks that promote the abandonment of the practice. The Joint Programme also supports service provision and efforts to change social norms through community-based activities, advocacy and public outreach and by supporting Governments, communities, women and girls. To date, 12 of 17 programme countries have passed national legislation criminalizing female genital mutilation/cutting: Burkina Faso, Djibouti, Egypt, Eritrea, Ethiopia, the Gambia, Guinea, Guinea Bissau, Kenya, Nigeria, Senegal and Uganda. Those initiatives also contribute to advancing target 5.3 of Sustainable Development Goal 5, which placed female genital mutilation/cutting on the international development agenda for the first time. In 2014, the General Assembly, in its resolution 69/150, commended the continued efforts and actions undertaken to implement its resolution 67/146 on intensifying global efforts for the elimination of female genital mutilations. Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices (2014), those Committees' first joint recommendation/comment, was issued during the reporting period.

E. Information-gathering, mapping, data collection and research

48. Child protection actors of the United Nations system recognize the importance of strengthening evidence to inform policies and programmes, monitor progress and evaluate interventions. In that regard, those actors support the improvement of national data collection systems and promote national-level research. They collaborate with regard to data collection, information technology and field missions. For example, in 2015, the Office of the Special Representative of the Secretary-General on Violence against Children and UNICEF collaborated with other United Nations agencies to launch national data surveys and response plans on violence against children during more than 40 field missions to 25 countries, most recently Cambodia, the Lao People's Democratic Republic, Malawi and Nigeria.

49. In November 2015, a joint technical field mission to the Philippines by the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and UNICEF supported the strengthening of the monitoring and reporting mechanism and provided guidance towards the full implementation of the United Nations-Moro Islamic Liberation Front action plan to prevent and end the recruitment and/or use of children, which led to action by the Government of the Philippines to prevent further violations and the initiation of a strategic partnership with the Special Rapporteur on the rights of indigenous peoples.

50. The Special Representative of the Secretary-General for Children and Armed Conflict researches and produces working papers that clarify complex conflict-related child protection issues and policies. In 2014, the Office of the Special Representative,

UNICEF, WHO and UNESCO issued a guidance note on protecting schools and hospitals, in the implementation of Security Council resolution 1998 (2011).

51. The Special Representative of the Secretary-General on Violence against Children cooperates with various United Nations actors to consolidate knowledge through research and the development and publication of related studies and recommendations. As a result of those efforts two thematic reports were launched, on promoting restorative justice for children, in 2013, and on safeguarding the rights of girls in the criminal justice system: preventing violence, stigmatization and deprivation of liberty, in 2015, in cooperation with UNODC and the Governments of Austria, Chile, Norway and Thailand.

52. Know Violence in Childhood is a global learning initiative that aims at building better lives for boys and girls, focusing on the prevention of interpersonal violence against children. The initiative, which brings together a diverse set of child protection actors, including UNICEF and the Special Representative of the Secretary-General on Violence against Children, consolidates evidence to address violence in childhood, support prevention efforts and inform policymaking and programming.

53. Collaboration on research, data collection and analysis includes the production of global studies on key dimensions of child protection. Primary among them are the following: the global study on the sexual exploitation of children in travel and tourism conducted in 2016 and led by End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes with the support of the Special Representative of the Secretary-General on Violence against Children, UNICEF, UNODC, the United Nations World Tourism Organization and the Special Rapporteur on the sale of children, child prostitution and child pornography; the Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, issued in 2016, which are the result of a collaborative effort of 18 organizations, including End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes, UNICEF and OHCHR, and the Special Representative of the Secretary-General on Violence against Children; and the global study on legal aid, currently under way and led by UNDP and UNODC.

54. Conducting the global study on children deprived of liberty is a priority for child protection actors of the United Nations system.[10] The Special Representative of the Secretary-General on Violence against Children leads a task force to facilitate the study's development, with the participation of OHCHR, UNODC, UNICEF, UNHCR, the Special Representative of the Secretary-General for Children and Armed Conflict, the Committee on the Rights of the Child and others and in consultation with Member States, civil society, academia and children. Expert group discussions in East Asia and Latin America, including, most recently, in Argentina, identified regional priorities for preventing the deprivation of liberty and strengthening oversight, inspection and monitoring in places where children are deprived of liberty within the justice system. The global study aims at consolidating data, outlining good practices, providing recommendations, supporting the

[10] General Assembly resolution 69/157 followed a recommendation by the Committee on the Rights of the Child that the Assembly request the Secretary-General to conduct an in-depth international study on children deprived of their liberty in accordance with article 45 (c) of the Convention on the Rights of the Child (see A/69/41).

implementation of international standards, enhancing accountability and promoting attitude and behavioural change with regard to children in detention.

55. The Human Rights Council Working Group on Arbitrary Detention, in conjunction with OHCHR, held a global consultation in 2014 on the right to challenge the lawfulness of detention before court. The consultation supported the preparation of the first draft principles and guidelines on the issue pursuant to Human Rights Council resolution 20/16. In the context of the consultation, the Special Representative of the Secretary-General for Children and Armed Conflict emphasized that basic legal safeguards must be provided in all circumstances for children who are deprived of liberty, including if they are detained by military or security services. Other forums relating to the deprivation of liberty of children under national security and counter-terrorism laws have included the subregional workshops on the treatment of children allegedly involved with Boko Haram as offenders, victims and/or witnesses of crime, held in 2015, and the workshop on children associated with violent extremist groups, organized by UNODC in Senegal in 2016. The second global round table on reception and alternatives to detention, held in Toronto, Canada, in 2015 and organized by UNHCR, with the support of IOM, UNICEF and the Special Rapporteur on the human rights of migrants, focused on alternatives to immigration detention, highlighting good practices in care arrangements for unaccompanied or separated children and children in families.

56. ILO and UNICEF support data collection on the extent, characteristics and determinants of child labour through the ILO Statistical Information and Monitoring Programme on Child Labour and UNICEF multiple indicator cluster surveys. Around 70 countries have improved the quality of their data by means of large-scale national household surveys or multiple indicator cluster surveys. Understanding Children's Work, an inter-agency research cooperation programme bringing together ILO, UNICEF and the World Bank, contributes to defining measurement criteria on child labour, including thresholds for unpaid hazardous household services.

57. UNICEF, the International Rescue Committee, Save the Children, UNFPA and other child protection actors prioritize advancements in innovative approaches to information management. In that regard, the Primero project brings coherence to child protection-related information management in emergencies and provides centrally supported software for data relating to case management and referral for the most vulnerable children, gender-based violence and grave violations against children. Primero has been rolled out in Lebanon, the Philippines and Sierra Leone, with implementation in additional locations planned.

F. Capacity-building, technical assistance and resources

58. Developing new resources and guidance to build capacity, professionalize the child protection sector and provide technical assistance at the global and national levels are important areas of collaboration.

59. At the global level, United Nations actors have collaborated to spearhead several new resources for combating violence against children. The report entitled "INSPIRE: seven strategies for ending violence against children" issued in 2016, is a collaboration led by WHO that provides strategies to promote prevention programmes and services to reduce violence against children. The Special Representative of the Secretary-General on Violence against Children collaborated

with UNICEF on the report entitled "Ending violence against children: six strategies for action", issued in 2014, and with WHO on the "Global status report on violence prevention 2014" and the global plan of action to strengthen the role of the health system within a national multi-sectoral response to address interpersonal violence, in particular against women and girls, and against children, in line with WHO resolution 69.5 of 28 May 2016.

60. For the first time, the United Nations has developed guidance on child-focused victim assistance, which is referenced in the new United Nations policy on victim assistance in mine action. Although the guidance focuses on survivors of explosive devices, it may also be used to improve assistance to child survivors of all forms of violence. Also in the area of mine action, UNICEF and the Centers for Disease Control and Prevention of the United States of America developed a new technical training package and course on strengthening national injury surveillance systems.

61. Child protection actors throughout the United Nations system are committed to preventing and responding to sexual exploitation and abuse by United Nations staff and related personnel, in particular responding to increased reports of such abuse in the Central African Republic and the Democratic Republic of the Congo. For example, UNICEF and partners have scaled up assistance to child victims of sexual exploitation and abuse, providing medical care, psychosocial support, legal assistance, case management and safety plans for victims and witnesses. At the global level, the Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse is leading a wide range of United Nations actors on the development of protocols to strengthen inter-agency cooperation, victim assistance and information-sharing on sexual exploitation and abuse.

62. Other recent guidelines and guidance relating to child protection includes the following documents: the guidelines entitled "Preventing violence: evaluating outcomes of parenting programmes", developed by UNICEF, WHO and the University of Cape Town in 2013; the "Guidelines for protecting schools and universities from military use during armed conflict", spearheaded by the Global Coalition to Protect Education from Attack and the Governments of Argentina and Norway in 2015; the update of the Inter-Agency Standing Committee "Guidelines for gender-based violence interventions in humanitarian settings"; and the "Guidelines on caring for child survivors of sexual abuse", rolled out by UNICEF and the International Rescue Committee in 2015. Another collaborative effort to professionalize the child protection sector is the post-graduate diploma in child protection in emergencies, developed by UNICEF, the child protection area of responsibility and Save the Children in 2014.

63. Training programmes are another opportunity for strategic cooperation. UNICEF conducts trainings on monitoring, reporting and responding to violations of children's rights in situations of armed conflict, often in coordination with other country task forces on monitoring and reporting, the Department of Political Affairs, the Department of Peacekeeping Operations and/or other mission components. In 2015, UNICEF and partners conducted monitoring and reporting mechanism trainings in Afghanistan, the Central African Republic, the Democratic Republic of the Congo, Iraq, Mali and South Sudan. Three important technical documents on the monitoring and reporting mechanism are the guidelines, field manual and the

compilation of good practices on the subject,[11] as well as the related training modules.

G. Regional partnerships for child protection

64. To support the prioritization of child protection within regional policy agendas, United Nations actors collaborate with regional organizations and institutions, including the European Union, the Council of Europe, the African Union, the League of Arab States, the Organization of American States, the North Atlantic Treaty Organization (NATO), the Association of Southeast Asian Nations (ASEAN) and the South Asia Initiative to End Violence against Children. Such collaboration is intended to enhance States' accountability for the protection of children's rights and support the acceleration of national efforts to implement the 2030 Agenda.

65. ASEAN and the Council of Europe, with the support of the Special Representative of the Secretary-General on Violence against Children, have aligned new regional plans on violence against children with the 2030 Agenda. The African Union adopted Africa's Agenda for Children 2040, which aims at ending violence against children, and similar efforts are being promoted in other regions. The Special Representative hosts annual cross-regional meetings to share experiences and advance the protection of children from violence. In 2016, the annual meeting highlighted the advancement of the 2030 Agenda, especially target 16.2 of Sustainable Development Goal 16.

66. In 2013, the Special Representative of the Secretary-General for Children and Armed Conflict signed a declaration of intent with the Peace and Security Department of the African Union Commission, setting out joint priorities to be achieved, in partnership with UNICEF, to enhance the mainstreaming of child protection within African Union policies and operations. Support for the operationalization of the declaration is provided by the African Union in the context of its strategic plan for 2015-2017 and the secondment of a child protection adviser from UNICEF to the Peace and Security Department.

67. In 2014, United Nations actors supported the League of Arab States in developing a cooperation agreement to mainstream child protection in the League's peace and security agenda through the enhancement of coordination and information flow, assistance to member States to mainstream child protection concerns, the identification of a high-level focal point for children and armed conflict and the encouragement of member States to ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Also in 2014, the Subcommittee on Human Rights and the Foreign Affairs Committee of the European Parliament held a special hearing on the "Children, not soldiers" campaign and the European Parliament established a round table on children's rights to mainstream child protection across parliamentary committees, reflecting ongoing dialogue with United Nations actors on strengthening the application of the European Union Guidelines on Children and Armed Conflict.

[11] Available from www.mrmtools.org.

68. NATO works with the Special Representative of the Secretary-General for Children and Armed Conflict on policies, procedures and training on the protection of children in armed conflict. At the NATO Summit, held in Wales, United Kingdom, on 4 and 5 September 2014, member countries of NATO reaffirmed their commitment to carrying out their responsibilities to mainstream child protection and added an adviser on children and armed conflict in the Resolute Support Mission in Afghanistan. In 2016, UNICEF and the Special Representative worked with NATO on a bi-strategic command directive aimed at providing guidance on children and armed conflict and mainstreaming child protection in NATO doctrine, planning, operations, missions, education, training, exercises and evaluation.

69. UNICEF, UNHCR and other partners revised the Regional Framework for the Protection of South Sudanese and Sudanese Refugee Children to support refugee children in Ethiopia, Kenya, South Sudan, the Sudan and Uganda. As a result, in 2015, 2,700 South Sudanese children were reunited with families and/or caregivers. In 2014, Regional coordination relating to refugee children also included the issuance of the joint UNHCR-UNICEF publication, entitled "Safe and sound: what States can do to ensure respect for the best interests of unaccompanied and separated children in Europe",[12] which contains recommendations to support States in the European Union and the European Free Trade Association in applying the "best interests of the child" principle as a primary consideration when dealing with unaccompanied and separated children.

V. Conclusions

70. The protection of children from violence, abuse and exploitation in diverse settings presents complex challenges. In response, United Nations actors have developed dynamic, multisectoral and multi-partner initiatives that take many forms, including joint advocacy, information exchange, coordinated reporting, national policy and legislation, strategic field missions and the strengthening of international legal norms, data and research.

71. Those collaborative efforts have led to such definitive achievements as the delivery of assistance and child protection programmes to millions of children, the inclusion of a Sustainable Development Goal target on ending violence against children, new ratifications of the Convention on the Rights of the Child and its Optional Protocols, increased efforts to tackle such thematic topics as children with disabilities and child marriage, advancements in policy and practice for ending the use of children in conflict, legal reform on corporal punishment, trafficking, harmful practices, child labour and female genital mutilation/cutting, the increased use of information technology for data collection and evidence-based policymaking, programming and reporting, the issuance of guidelines and technical support, investment in strengthening partnerships and accelerating regional progress and a push for progress in such emerging areas of concern as online safety and protection from bullying.

72. Ongoing collaboration at the field and global policy levels is essential for achieving the effective protection of children. Strong partnerships enable child protection actors of the United Nations system to leverage opportunities, such as the

[12] Available from www.unicef.org/protection/files/5423da264.pdf.

implementation of the 2030 Agenda, to end violence, abuse and the exploitation of children. In the light of the difficulties presented by the global refugee and migration crisis and the rise of violent extremism, as well as by community violence and the growing number of armed conflicts, sustained and adequate resources are required to reinforce complementary mandates across the United Nations system and safeguard the rights of children, meet their protection needs and consolidate the progress achieved to date.

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International Convention for the Protection of All Persons from Enforced Disappearance

Report of the Secretary-General

Summary

In its resolution 70/160, the General Assembly requested the Secretary-General to submit, at its seventy-first session, a report on the status of the International Convention for the Protection of All Persons from Enforced Disappearance and the implementation of the resolution. The present report is submitted in accordance with that request.

In a note verbale dated 5 April 2016, the Secretary-General invited Governments to transmit any information pertaining to the implementation of resolution 70/160. Replies have been received from the Governments of Albania, Bosnia and Herzegovina, Colombia, Cuba, Denmark, El Salvador, Greece, Guatemala, Honduras, Romania, Serbia and Uzbekistan. Their responses are summarized in the present report.

The present report also includes information on the activities carried out in relation to the implementation of the resolution by the Secretary-General, the United Nations High Commissioner for Human Rights and his Office, the Committee on Enforced Disappearances, the Working Group on Enforced or Involuntary Disappearances and intergovernmental and non-governmental organizations.

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Contents

		Page
I.	Introduction	3
II.	Status of ratification of the International Convention for the Protection of All Persons from Enforced Disappearance	3
III.	Replies received from States	3
	Albania	3
	Bosnia and Herzegovina	4
	Colombia	4
	Cuba	5
	Denmark	5
	El Salvador	5
	Greece	6
	Guatemala	6
	Honduras	6
	Romania	7
	Serbia	7
	Uzbekistan	7
IV.	Activities of the Secretary-General and the United Nations High Commissioner for Human Rights	8
V.	Activities of the Committee on Enforced Disappearances	12
VI.	Activities of the Working Group on Enforced or Involuntary Disappearances	14
VII.	Activities of United Nations agencies and organizations and intergovernmental and non-governmental organizations	15
VIII.	Conclusion	16
	Annex	17

I. Introduction

1. In its resolution 70/160, on the International Convention for the Protection of All Persons from Enforced Disappearance, the General Assembly requested the Secretary-General to submit, at its seventy-first session, a report on the status of the Convention and the implementation of the resolution. The present report is submitted in accordance with that request.

2. On 6 April 2016, the Secretary-General invited Member States to transmit relevant information pertaining to the implementation of the resolution. As at 18 July 2016, replies had been received from the Governments of Albania, Bosnia and Herzegovina, Colombia, Cuba, Denmark, El Salvador, Greece, Guatemala, Honduras, Romania, Serbia and Uzbekistan. The Secretary-General also sent requests for information on the implementation of the resolution to specialized agencies, United Nations funds and programmes and civil society organizations. The Secretary-General received submissions from Amnesty International, the International Coalition against Enforced Disappearances, REDRESS and TRIAL International. Their responses are summarized in the present report.

II. Status of ratification of the International Convention for the Protection of All Persons from Enforced Disappearance

3. As at 18 July 2016, 95 States had signed and 52 had ratified or acceded to the Convention; 19 States had recognized the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of individuals subject to its jurisdiction claiming to be victims of a violation by the State party of provisions of the Convention (article 31); and 21 States had recognized the competence of the Committee to receive and consider communications in which a State party claimed that another State party was not fulfilling its obligations under the Convention (article 32). Updated information on the status of ratification of the Convention may be found in the annex to the present report.

III. Replies received from States

4. Summaries of the replies of States relating to the implementation of resolution 70/160 are provided below.

Albania

5. Albania ratified the Convention by Law No. 9802 of 13 September 2007 and recognized the competence of the Committee on Enforced Disappearances under articles 31 and 32 of the Convention. In accordance with article 29 of the Convention, Albania has submitted to the Committee its report on the measures taken to implement the obligations laid down by the Convention.

6. Albania is committed to the continuous improvement of standards for the protection and observance of human rights and fundamental freedoms. In Albania, international law prevails over domestic law: article 122 of the Constitution stipulates that any international agreement ratified by the Parliament becomes part

of the domestic law and is directly applicable, except when it is non-self-executing and requires the promulgation of a law. Based on article 122, Albania considers that not all provisions of the Convention are self-executing.

7. Albania noted that no cases of enforced disappearance had been investigated or prosecuted on its territory since the entry into force of the Convention. However, enforced disappearances might have occurred during the communist regime, between 1944 and 1991, when, according to official data, 5,157 persons were convicted for political reasons and executed without a court decision. Albania is considering establishing a disappeared persons section within the Institute of Integration of Former Politically Persecuted Persons, which would aim to find persons disappeared during the communist regime. For that reason, Albania would like to seek the assistance of the Secretariat in evaluating the current national legislation vis-à-vis the provisions of the Convention and would like to receive the advice of the Secretariat on best practices in establishing a disappeared persons section.

Bosnia and Herzegovina

8. Bosnia and Herzegovina informed that the Convention had entered into force in the country on 29 April 2012 and that it had recognized the competence of the Committee under articles 31 and 32 of the Convention on 13 December 2012. In accordance with article 29 (1) of the Convention, Bosnia and Herzegovina submitted its report to the Committee in 2014 and is in the process of drafting the reply to the list of issues adopted by the Committee. Bosnia and Herzegovina did not request the assistance of the Secretary-General and the High Commissioner for Human Rights in becoming a State party to the Convention. The International Committee of the Red Cross (ICRC) provided assistance to Bosnia and Herzegovina in the preparation of the reply to the list of issues adopted by the Committee.

Colombia

9. Colombia approved the ratification of the Convention through Law No. 1418 of 1 December 2010; following the verification of the constitutionality of the law, the Constitutional Court declared it executable in June 2011 through Judgment No. C-620. The Convention was ratified on 11 July 2012 and entered into force on 10 August 2012.

10. Before the ratification of the Convention, article 12 of the Political Constitution of 1991 already determined that: "nobody shall be submitted to enforced disappearances, torture or cruel, inhuman or degrading treatments". Colombia ratified the Convention without making any reservation or declaration. It did not accept the competence of the Committee under articles 31 and 32. The commitment of the United Nations system to the fight against enforced disappearance has been invaluable in Colombia. The United Nations Development Programme provided technical assistance to support the process of search, identification and documentation of cases and assist in the dignified recovery of remains of disappeared persons. The International Commission on Missing Persons assisted in the handling of genetic information to identify persons. The International Committee of the Red Cross assisted in the elaboration of tools for judges, legislators, civil servants, human rights defenders and families of victims to create

and manage a genetic bank within the framework of Human Rights Council resolutions 10/26 and 15/5.

11. The Search Commission for Disappeared Persons in Colombia, an institutional mechanism created to support and promote the investigation of enforced disappearances, established channels of communication with the families of the victims and with organizations such as the Association of Relatives of Disappeared Detainees for their participation and follow-up in the process of the identification of and search for disappeared persons.

Cuba

12. Cuba actively participated in the negotiations that led to the adoption of the Convention and was among the first countries to sign, on 6 February 2007. It has been a State party to the Convention since 2 February 2009. It continually evaluates the possibility of accepting the procedures in articles 31 and 32 of the Convention, which Cuba observes are optional. Cuba has not requested or received any assistance from the Secretary-General, the High Commissioner for Human Rights or any organ of the United Nations, any intergovernmental or non-governmental organization or the Working Group on Enforced or Involuntary Disappearances in relation to enforced disappearances or any aspect of the application of the Convention given that such assistance has not been necessary since the revolution of 1959. Through its internal and external policies, Cuba indicates in its response that it puts into practice respect for the physical and moral integrity of the individual, which allows it to ensure that there have been no cases of disappearances, torture or secret detention, with the exception of the illegally occupied naval base of the United States of America in Guantanamo. Cuba notes that its legal system establishes not only the basic universally recognized legal guarantees relating to human rights, but also offers concrete guarantees for the real and effective exercise of all human, civil and political, and economic, social and cultural rights. The report of Cuba to the Committee on Enforced Disappearances will be reviewed in March 2017.

Denmark

13. Denmark will ratify the Convention when the necessary amendments to Danish law, necessary to meet the obligations stemming from the Convention, have been adopted and the Danish Parliament has given its consent to the ratification. Denmark will also consider the possibility of recognizing the competence of the Committee on Enforced Disappearances, under articles 31 and 32 of the Convention, after having completed a legal study of the legal implications of doing so. Denmark has not requested or received assistance from the Secretary-General, the High Commissioner for Human Rights, United Nations agencies and organizations or the Working Group on Enforced or Involuntary Disappearances.

El Salvador

14. During the universal periodic review, El Salvador committed to fostering internal discussion on the ratification of the Convention, as well as the Inter-American Convention on Forced Disappearance of Persons. On 23 April 2013, the Executive branch forwarded the ratification proposal to the Legislative Assembly. The proposal, including the possible recognition of the Committee's

competence under articles 31 and 32 of the Convention, is being studied by the Commission on External Relations, Central American Integration and Salvadoreños Abroad. On 16 November 2015, representatives of the Commission participated in consultations on both Conventions organized with the technical assistance of the United Nations and the Organization of American States. In 2007, El Salvador received the visit of the Rapporteur of the Working Group on Enforced or Involuntary Disappearances and in 2014-2015, it reported on its follow-up to the observations received.

Greece

15. Greece signed the Convention on 1 October 2008 and ratified it on 9 July 2015 by Law No. 4268/2014. The same law adapted the national criminal legislation to the provisions of the Convention and introduced, in the Greek Penal Code, articles 322-A (enforced disappearance of a person), 322-B and 333-C. Greece has not yet recognized the competence of the Committee under articles 31 and 32 of the Convention.

Guatemala

16. Guatemala has not ratified the Convention but has been considering the possibility of doing so since 2007, when draft law No. 3736 was presented to the Congress. The proposed law No. 3736 is currently with the Commission on Human Rights of the Congress. Nevertheless, the State acknowledges the importance of eliminating enforced disappearances and notes that it has ratified the Rome Statute of the International Criminal Court, with technical assistance from the country office of the Office of the United Nations High Commissioner for Human Rights (OHCHR), and the Inter-American Convention on Forced Disappearance of Persons.

17. At the domestic level, Guatemala highlights the criminalization of enforced disappearances in its domestic law (article 201-ter of the Criminal Code), the elimination of the statute of limitations regarding such offence, the application of international law provisions in specific cases of enforced disappearances and the initiative to create a commission for the search of persons victims of enforced disappearances and other forms of disappearance.

18. Similarly, Guatemala reiterates its commitment to effectively investigating historic cases of enforced disappearances and to avoid intimidation of witnesses and human rights defenders who participate in such procedures.

19. Guatemala requested and received technical assistance from the Secretary-General and the High Commissioner for Human Rights on human rights-related matters. Guatemala received visits from the Working Group on Enforced or Involuntary Disappearances in 1987 and 2006.

Honduras

20. Honduras informed that through Legislative Decree No. 49-2012 of 17 April 2012, the Penal Code was reformed by introducing article 333-A, which explicitly defines the crime of enforced disappearance. The definition of enforced disappearance in article 333-A complies with article 2 of the Convention and includes the three constitutive elements of: (a) any other form of deprivation of

liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State; (b) the refusal to acknowledge the deprivation of liberty; and (c) the placement of the person outside the protection of the law. Article 333-A foresees reclusion of between 15 and 20 years and a fine of 25 to 50 salaries. The penalty is increased by one third if the perpetrator is a State agent. For police and military forces personnel, the penalty includes separation from service, as foreseen by the General Law regulating the National Police and the Law concerning members of military forces.

Romania

21. Romania signed the Convention on 3 December 2008. Romania reports that the new Criminal Code includes, in its article 439, enforced disappearance as a crime against humanity when perpetrated with the aim of placing a person outside the protection of the law for a long time, by abduction, arrest or detention, at the order of a State or a political organization or with the authorization, support or acquiescence of the State, followed by a refusal to admit that the person has been deprived of liberty or to provide real information about the fate or whereabouts of the disappeared person, thus placing the person outside the protection of the law. The applicable penalty is life imprisonment or imprisonment of between 15 to 25 years and the suspension of the exercise of certain rights.

Serbia

22. The Republic of Serbia signed the Convention in 2007 and ratified it in 2011. Serbia has recognized the competence of the Committee under articles 31 and 32 of the Convention. Serbia informed that it has not received any assistance in the signature and ratification process from the United Nations. Concerning the implementation of the Convention, Serbia is actively cooperating with relevant stakeholders, in particular: the Working Group on Enforced or Involuntary Disappearances visited the Republic of Serbia from 19 to 26 June 2014; ICRC, the International Commission on Missing Persons and the European Union Rule of Law Mission in Kosovo (EULEX) provide continuous assistance to the competent authorities to solve the issue of missing persons; on 16 December 2015, Serbia signed the Agreement on the Status and Functions of the International Commission on Missing Persons; and the Commission on Missing Persons of the Government of the Republic of Serbia maintains contact with families of missing persons and cooperates with families' associations.

Uzbekistan

23. Uzbekistan informed that it considers it premature to sign the Convention owing to the lack of the term "enforced disappearance" in the domestic law and of its recognition as an offence with the correspondent criminal liability. However, Uzbekistan notes that some of its domestic laws and regulations enshrine a number of important provisions aimed at the implementation of the General Assembly resolution on the Convention and criminalize and punish several acts, such as abduction (article 137 of the Criminal Code), unlawful deprivation of liberty (article 138), trafficking in persons (article 135), improper exercise of authority (article 206) and unlawful detention or remand in custody (article 234).

24. Additional reasons for not signing the Convention are that the State party must ensure that victims of enforced disappearance are provided with effective remedies; a Committee has been established to examine reports of States parties and receive individual complaints; the Convention requires the establishment of relations with the International Criminal Court but Uzbekistan has not ratified the Rome Statute; and the Convention attests to an emerging trend in international law of encroachment into an area that is traditionally within the jurisdiction of States and of restriction of their sovereignty in criminal matters.

25. Uzbekistan has neither requested nor received any assistance from the Secretary-General or the High Commissioner for Human Rights in preparation for accession to or ratification of the Convention. While it has not received technical assistance from any United Nations agencies or organizations to promote understanding and implementation of the Convention, Uzbekistan highlights that it is included in the law and human rights programmes of Tashkent State Law University and the Academy of the Ministry of Internal Affairs.

IV. Activities of the Secretary-General and the United Nations High Commissioner for Human Rights

26. In paragraph 5 of its resolution 70/160, the General Assembly requested the Secretary-General and the United Nations High Commissioner for Human Rights to increase their intensive efforts to assist States in becoming parties to the Convention, with a view to achieving universal adherence.

27. The International Convention for the Protection of All Persons from Enforced Disappearance has been highlighted at all treaty-related events organized by the United Nations in New York since 2007, to promote accession or ratification and implementation. The Convention is also part of the treaty event for 2016.

28. The Secretary-General delivered a message on 30 August 2015, on the occasion of International Day of the Victims of Enforced Disappearances. He noted that the prohibition of enforced disappearance is absolute and that the Convention provides a sound foundation for fighting impunity, protecting disappeared persons and their families and strengthening the guarantees provided by the rule of law, including investigation, justice and redress. The Secretary-General deplored the alarming number of acts by non-State actors, including armed extremist and terrorist groups, that are tantamount to enforced disappearances. He urged all Member States to ratify or accede to the Convention without delay and called upon the States parties to the Convention to fully implement it.[1]

29. In April 2016, the Secretary-General, in his report on South Sudan, noted that reports continued of the detention of civilians by the National Security Service and other government forces, including in Yambio and Malakal, in which some cases potentially rose to the level of enforced disappearances (see S/2016/341, para. 46).

30. OHCHR continues to pursue its efforts to combat enforced disappearances and to achieve universal ratification of the Convention under the thematic priorities of

[1] Ban Ki-moon, Secretary-General, "Amid growing use of enforced disappearances by non-State actors, Secretary-General urges prompt action in message on International Day Commemorating Victims", 28 August 2015, available from www.un.org/press/en/2015/sgsm17038.doc.htm.

"violence and insecurity" and "support for human rights mechanisms", as set out in the office management plan for 2014-2017. Efforts focus on supporting States' actions to ratify the Convention, providing training and capacity-building to States and civil society and raising awareness about the Convention.

31. The High Commissioner undertook a number of specific activities during the period from July 2015 to June 2016. In a series of statements, press releases and press briefings, the High Commissioner made reference to allegations of enforced disappearance in Burundi,[2] Iraq,[3] Mozambique,[4] South Sudan[5] and Ukraine.[6]

32. In September 2015, the High Commissioner recommended to Sri Lanka that it accede to the Convention, enact legislation to criminalize enforced disappearance without statutes of limitation and dispense with the current Presidential Commission on Missing Persons and transfer its cases to a credible and independent institution developed in consultation with families of the disappeared (see A/HRC/30/61, sect. VIII A., para. 91 (l), (m) and (r)). Sri Lanka ratified the Convention on 25 May 2016.

33. In October 2015, after his visit to Mexico,[7] the High Commissioner noted that while there was progress towards building a solid human rights framework in the country, there were at least 26,000 people still missing, many believed to be as a result of enforced disappearance, since 2007 and new cases of disappearance occurred every day. The High Commissioner singled out the enforced disappearance in Iguala, Guerrero State, of 43 students from the Ayotzinapa teacher-training college as an emblematic case of the wave of human rights violations in Mexico. In April 2016, he commended the invaluable work accomplished by the Interdisciplinary Group of Independent Experts in Mexico on the same case. The Group, which was appointed by the Inter-American Commission on Human Rights and invited by the Government of Mexico to follow up on the investigation of the case, published an extensive report. The High Commissioner expressed concern about the many challenges and obstacles reported by the Interdisciplinary Group that might have prevented a full and transparent inquiry, including regarding the roles and responsibilities of the military and other official authorities in the case. The High Commissioner encouraged the Government to engage with the follow-up

[2] OHCHR, "Torture and illegal detention on the rise in Burundi — Zeid", 18 April 2016, available from www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19835&LangID=E.

[3] OHCHR, "Press briefing note on Bahrain and Iraq", 21 June 2016, available from www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=20146&LangID=E.

[4] Office of the United Nations High Commissioner for Human Rights (OHCHR), "Press briefing note on Mozambique and Nigeria", 29 April 2016, available from www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19905&LangID=E.

[5] OHCHR, "South Sudan: United Nations report contains 'searing' account of killings, rapes and destructions", 11 March 2016, available from www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=17207&LangID=E.

[6] OHCHR, "Ukraine: growing despair among over three million civilians in conflict zone — United Nations report", 3 March 2015, available from www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=17131&LangID=E.

[7] OHCHR, "Statement of the United Nations Commissioner for Human Rights, Zeid Ra'ad Al Hussein, on his visit to Mexico, 7 October 2015", available from www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16578&LangID=E.

mechanism that the Inter-American Commission on Human Rights had announced that it would establish.[8]

34. In January 2016, the High Commissioner urged Thailand[9] to make decisive and sustained efforts to investigate the whereabouts of at least 82 people listed as disappeared, criminalize enforced disappearance in its legislation in line with international standards and immediately ratify the Convention. In June 2016, he welcomed the decision by Thailand to enact the Prevention and Suppression of Torture and Enforced Disappearance Act and to ratify the Convention.[10]

35. In January 2016, the High Commissioner welcomed the news that 11 former military officers in Guatemala[11] were to be prosecuted on charges of enforced disappearance and crimes against humanity committed in the 1980s during the civil war. He noted that the decision, taken by a judge, represented an important step forward in establishing truth and ensuring justice in Guatemala for crimes committed during the 36-year-long conflict. For the first time in investigations into past abuses, a complete chain of command involved in enforced disappearances and crimes against humanity was identified, from the alleged perpetrators to the instigators of crimes.

36. OHCHR participated in the 4th meeting of the Intergovernmental Expert Group on the revision of the Standard Minimum Rules for the Treatment of Prisoners. At the meeting, OHCHR, inter alia, provided guidance on human rights in relation to the investigation of deaths, disappearances or serious injury while in prison and the scope of the use of solitary confinement. The General Assembly adopted the revised Standard Minimum Rules by its resolution 70/175 of 17 December 2015.

37. OHCHR Colombia provided advice to civil society on how to access the procedures of the Convention. It specifically advised on how to submit five cases of urgent actions, which were ultimately registered by the Committee. The Office organized academic meetings aimed at raising awareness about the content and purpose of the Convention as well as its protection mechanisms and how to access them. OHCHR Colombia supported civil society actors in the submission of alternative reports relevant to the list of issues on Colombia and in their participation in the review of the State's report by the Committee.

38. OHCHR Honduras provided technical assistance to the Government in respect of the drafting of the State party report to the Committee on Enforced Disappearances to ensure its compliance with the reporting guidelines. The report was submitted in February 2016.

39. In Mexico, in July 2015, with the active promotion of OHCHR, a constitutional amendment entered into force enabling the Federal Congress to enact

[8] OHCHR, "Press briefing note on Mexico and Mauritania", 26 April 2016, available from www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19879&LangID=E.

[9] OHCHR, "Zeid urges Thailand to fully investigate enforced disappearances", 6 January 2016, available from www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16924&LangID=E.

[10] Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights, opening statement at the thirty-second session of the Human Rights Council.

[11] OHCHR, "Press briefing notes on Iraq and Guatemala", 19 January 2016, available from www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16968&LangID=E.

a general law on disappearances. International human rights mechanisms have recommended to Mexico that it adopt a general law on this matter. Once the amendment to the Federal Constitution entered into force, OHCHR began working with the Federal Executive and the Congress so that the initiatives regarding the general legislation on disappearances would be in accordance with the highest relevant international standards. OHCHR submitted observations on the draft bills shared by the Federal Executive and provided continuous technical cooperation to non-governmental organizations and victims' associations on their proposals in respect of the content of the general legislation. The debates regarding the legislation are taking place in the Federal Congress with the active participation of OHCHR Mexico.

40. OHCHR Mexico worked with officials, legislators, non-governmental organizations and victims in the state of Nuevo Leon, which resulted in the adoption of a piece of legislation for the regulation of the special declaration of absence owing to disappearance, which allows the families of the victims to address their legal situation.

41. Mexico adopted a standardized protocol that unified the methodologies for the investigation and prosecution of disappearances throughout the territory. OHCHR Mexico participated actively in the formulation process, providing advice and technical cooperation based on international human rights standards, good practices and its experience working with victims.

42. OHCHR worked with non-governmental organizations and family members of disappeared persons to raise awareness on the international mechanisms available to them, in particular those afforded by the Committee, such as the urgent action procedure. Of the 208 urgent actions relating to Mexico registered during the reporting period, most were from the states of Guerrero and Veracruz. Many include protection measures for family members, who face heightened risks as they carry out searches for their family members and are active in the investigations. OHCHR works together with authorities to ensure that the urgent actions are an effective tool for the search of disappeared persons.

43. A publication entitled *Enforced disappearance in Mexico, a United Nations system perspective* was issued by OHCHR, together with Mexico's National Human Rights Commission and the International Bar Association. This booklet includes all recommendations issued by United Nations bodies to Mexico on disappearances. Dissemination efforts include providing periodic information on the Convention to the press, the public at large and other counterparts, with particular emphasis on the celebration of International Day of the Victims of Enforced Disappearances.

44. In Yemen, OHCHR conducted a thorough review of the draft law on enforced disappearance and submitted its comments to the Government prior to its adoption at the end of 2015. Ratification by Parliament is pending.

45. In Tunisia, OHCHR provided guidance and technical advice to the drafting committees during the preparation process for the report submitted by the State party to the Committee on Enforced Disappearances and reviewed by the latter in March 2016.

46. In Ecuador, the Human Rights Adviser facilitated the participation of civil society organizations in the drafting process for the State party report for the Committee.

47. In Paraguay, the Human Rights Adviser provided assistance to a national network of human rights organizations called the Coordinator for Human Rights in Paraguay in the submission of an alternative report to the Committee.

48. In Niger, owing in part to the work of the Human Rights Adviser within the United Nations country team, the State ratified the Convention on 24 July 2015.

49. In Sri Lanka, the Human Rights Advisor advocated for the ratification of the Convention by Sri Lanka, which took place on 26 May 2016.

50. The OHCHR Regional Office for South America has encouraged civil society organizations to submit alternative reports to the Committee.

51. The OHCHR Regional Office for West Africa assisted the three ministries in Burkina Faso that are in charge of State reporting in the process of harmonizing their procedures. The Office also provided technical support in the preparation of all reports drafted in 2014, including the report to the Committee on Enforced Disappearances, which was considered in March 2016.

52. In Libya, OHCHR conducted an investigation mandated by Human Rights Council resolution 28/30 and reported, inter alia, on cases of enforced disappearance (see A/HRC/31/47, paragraph 30).

53. The United Nations Voluntary Fund for Victims of Torture continued awarding grants to a number of non-governmental entities providing assistance to families of victims of enforced disappearance and/or documenting cases of enforced disappearance in line with the relevant provisions of the Convention. For example, in Mexico, the Fund supports two projects aimed at providing legal aid to the families of victims of enforced disappearance. In Argentina, another project continues to be supported by the Fund with the aim of delivering psychological, social and legal services, including DNA tests, to the families of victims of enforced disappearance.

V. Activities of the Committee on Enforced Disappearances

54. During the reporting period, the Committee on Enforced Disappearances took several steps to promote the ratification and implementation of the Convention and maintained its dialogue with the Working Group on Enforced or Involuntary Disappearances and other relevant mechanisms and stakeholders. A detailed compilation of the activities of the Committee can be found in its annual report to the General Assembly at its seventy-first session (A/71/56).

55. Since the previous report on the Convention (A/70/261), the Committee has registered 220 urgent actions; interim and protection measures were requested in 42 of those cases. Since its establishment, the Committee has registered a total of 304 urgent actions, of which 4 have been closed (an urgent action is closed when the disappeared person has been located, dead or alive, and released) and 3 have been suspended (an urgent action is suspended when the disappeared person has been located but is still detained). An urgent action is kept open when the disappeared person has been located but the persons for whom interim measures were granted are still under threat.

56. In all his public statements, the Chair of the Committee, Emmanuel Decaux, promotes the ratification of the Convention and stresses that ratification should be

followed by its transposition into the domestic legal order and its implementation. He also invites States parties that have not done so to accept the competence of the Committee under articles 31 and 32 of the Convention.

57. On the occasion of International Day of the Victims of Enforced Disappearances, commemorated on 30 August 2015, the Committee and the Working Group on Enforced or Involuntary Disappearances issued a press release recalling that time was of the essence in the search for disappeared persons and called for protocols for immediate search. They encouraged all those whose beloved ones had disappeared to make use of the tools provided through the urgent actions procedures of the Committee and of the Working Group. In the first months of 2015, thanks to the activation of the urgent action procedures, 13 disappeared persons were found alive, in detention, and, sadly, 2 were found dead.

58. On 15 September 2015, the Committee and the Working Group on Enforced or Involuntary Disappearances held their 5th joint meeting. The members of the two bodies highlighted the need to continue working collectively to achieve universal adherence to the Convention and recognition of the competence of the Committee under articles 31 and 32. The expert bodies also exchanged information on past activities, including on country visits and the review of State parties, and agreed on continuous cooperation to coordinate their agendas, including on thematic priorities.

59. The Committee met with Member States at a public meeting on 17 September 2015. It invited States parties to the Convention that had not yet submitted their reports and States that had neither signed nor ratified the Convention to do so and encouraged all States to accept the Committee's competence under articles 31 and 32. In addition, the Chair updated States on the work of the Committee.

60. On 17 September, the Committee held a public meeting with a representative from the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights and the National Human Rights Council of Morocco. The representative from the International Coordinating Committee underlined the importance of the close cooperation between the Committee and national human rights institutions. Referring to the document on the relationship of the Committee on Enforced Disappearances and national human rights institutions' (CED/C/6) adopted in 2014, the International Coordinating Committee identified the main areas of work that it had conducted to facilitate the broad ratification and implementation of the Convention.

61. The Committee also met, on 17 September, with representatives of non-governmental organizations and victims' associations to discuss general matters relating to the promotion and implementation of the Convention. The Committee welcomed the support of non-governmental organizations in encouraging States to ratify the Convention and underlined the importance of close cooperation in raising awareness.

62. On 11 March 2016, the Committee on Enforced Disappearances, Argentina, France, Japan and Morocco, in collaboration with OHCHR, held an event called "Contemporary challenges" to commemorate the tenth anniversary of the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance. More information on the event is available from www.ohchr.org/EN/HRBodies/CED/Pages/10thAnniversary.aspx.

63. At its tenth session, held from 7 to 18 March 2016, the Committee decided on the merits of the first individual communication (Comm. No. 1/2013, *Yrusta v. Argentina*) received under article 31 of the Convention. It concerned Roberto Yrusta, a prisoner in Argentina, whose family had been denied any information about his whereabouts for a period of some seven days, during which he had been moved from a prison in Cordoba to one in Santa Fe province. The Committee found that Mr. Yrusta had indeed been subjected to enforced disappearance given that he could not communicate with his family or consult a lawyer and that the authorities had concealed or refused to acknowledge whether he had been transferred notwithstanding repeated requests from his relatives. In the decision, the Committee reaffirmed that there was no temporal element for an enforced disappearance and that a secret detention could take place in an official prison when the authorities did not provide information about the detainees. The text of the decision is available from http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CED%2fC%2f10%2fD%2f1%2f2013&Lang=en. On 21 March 2016, the Committee issued a press release on the case, available from http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=18494&LangID=E.

64. During the reporting period, the Committee, through its secretariat, continued to send reminders to States parties whose reports were overdue to encourage prompt submission, bringing to their attention the guidelines on the form and content of reports under article 29 (1) to be submitted by States parties to the Convention (CED/C/2).

VI. Activities of the Working Group on Enforced or Involuntary Disappearances

65. The Working Group met with the Committee on Enforced Disappearances during its 107th session, in September 2015. At the meeting, the members of the two bodies working on the issue of enforced disappearance highlighted the need to continue to make their coordination of activities more effective. They also exchanged information on past and forthcoming activities, including on country visits, thematic issues and the review of State parties, and agreed on continuous cooperation to coordinate their agendas.

66. In September 2015, in its report to the Human Rights Council, the Working Group reiterated its calls upon States that had not signed and/or ratified the Convention to do so as soon as possible and to accept the competence of the Committee on Enforced Disappearances to receive individual cases under article 31 and inter-State complaints under article 32 of the Convention (see A/HRC/30/38, para. 106). The Working Group takes every opportunity to promote the ratification of the Convention, including during visits to States and bilateral meetings held with their representatives.

VII. Activities of United Nations agencies and organizations and intergovernmental and non-governmental organizations

67. A number of intergovernmental and non-governmental organizations have undertaken efforts at the national, regional and global levels to disseminate information on the Convention, promote understanding of it, prepare for its entry into force and assist States parties in implementing their obligations under the instrument.

68. Regarding civil society, Amnesty International provided briefings to the Committee on its reviews of Iraq and Montenegro and submitted follow-up information in relation to the concluding observations on Mexico.

69. The Asian Federation Against Involuntary Disappearances is a federation of 14 organizations working directly on the issue of enforced disappearance in 10 South Asian and South-East Asian countries. Representatives of the Federation actively lobbied at the national, regional and international levels for the ratification of the Convention in Asia and the recognition of the competence of the Committee under articles 31 and 32 of the Convention. They participated in conferences, seminars and public events to promote the understanding of the Convention. The Federation released statements on the occasion of the fifth anniversary of the entry into force of the Convention, International Day of the Victims of Enforced Disappearances in 2015 and International Week of the Disappeared in May 2016 and disseminated them through social media. The Federation regularly provides substantive information on cases of enforced disappearance to the Committee and the Working Group on Enforced or Involuntary Disappearances.

70. The International Coalition against Enforced Disappearances, which comprises 56 non-governmental organizations, has been globally promoting its mandate to lobby actively for universal ratification and implementation of the Convention, recognition of the competence of the Committee under articles 31 and 32 of the Convention and the enactment of domestic laws that criminalize enforced disappearance. Representatives of the Coalition organized and participated in public events, seminars and conferences promoting the Convention to a wide range of audiences, from Governments to civil society and other stakeholders. The Coalition launched a primer on the Convention for Governments and one for non-governmental organizations, which were translated into French and Spanish. Netherlands Helsinki Committee, a member of the Coalition, and Justice and Peace Netherlands published a practical guide for relatives of disappeared persons and non-governmental organizations on how to access the Committee on Enforced Disappearances. The Coalition released statements on the occasion of the fifth anniversary of the entry into force of the Convention, International Day of the Victims of Enforced Disappearances in 2015 and International Week of the Disappeared in May 2016.

71. Redress Trust (REDRESS) represents numerous victims of enforced disappearance in litigation against a range of countries in various forums, including at the Human Rights Committee and the African Commission on Human and Peoples' Rights. REDRESS consistently refers to the Convention in litigation, in submissions regarding implementation and in alternative reports submitted to monitoring mechanisms. Representatives of REDRESS also participated in conferences and seminars addressing enforced disappearances during the reporting

period, highlighting in particular the right of victims to redress under the Convention.

72. In November 2015, TRIAL International took part in the second cycle of the universal periodic review of Nepal and recommended the criminalization of enforced disappearance as a separate crime in the domestic legislation, the ratification of the Convention and the recognition of the competence of the Committee under articles 31 and 32 of the Convention. Throughout 2015 and 2016, the organization has been submitting follow-up reports on the status of implementation of the recommendations contained in the views of the Human Rights Committee on four cases of enforced disappearance in Nepal that TRIAL International had previously lodged. In 2015, the Human Rights Committee issued views on cases of enforced disappearance in Bosnia and Herzegovina submitted by TRIAL International.

73. On 30 August 2015, TRIAL International supported the commemoration of International Day of the Victims of Enforced Disappearances held in Kathmandu by the National Network of Families of the Disappeared and Missing in Nepal. TRIAL International, the Foundation for Justice and the Democratic Rule of Law and a coalition of associations of relatives of disappeared persons from Central America supported the work of the Committee on Enforced Disappearances by submitting an alternative report in relation to the follow-up review of Mexico. They also submitted to the Working Group on Enforced or Involuntary Disappearances a report on the obstacles faced by the relatives of disappeared migrants in the struggle for justice, truth and reparation. TRIAL International supported relatives of disappeared persons in Nepal in the submission of their cases to the local Commission of Investigation on Enforced Disappeared Persons, making reference to the Convention as the legal standard of reference. It continued to promote the ratification of the Convention and the recognition of the competence of the Committee, specifically in Burundi and Nepal. It is also litigating cases of enforced disappearance concerning various countries before the Human Rights Committee, referring to the Convention as the highest standard in the field.

74. Representatives of TRIAL International also gave expert testimonies to the Inter-American Court of Human Rights in cases of enforced disappearance, published articles to promote the understanding of the Convention and participated in a series of conferences and seminars on the subject during the reporting period.

VIII. Conclusion

75. The Secretary-General strongly encourages all States that have not yet become parties to the International Convention for the Protection of All Persons from Enforced Disappearance to take the necessary measures to do so and to accept the competence of the Committee on Enforced Disappearances under articles 31 and 32 of the Convention. The Secretary-General and the United Nations High Commissioner for Human Rights will continue their intensive efforts to assist States in becoming parties to the Convention and in ensuring its full implementation.

Annex

States that have signed, ratified or acceded to the Convention for the Protection of All Persons from Enforced Disappearance as at 18 July 2016

Participant	*Signature*	*Accession or ratification*
Albania[a]	6 February 2007	8 November 2007
Algeri[a]	6 February 2007	
Angola	24 September 2014	
Argentina[a]	6 February 2007	14 December 2007
Armenia	10 April 2007	24 January 2011
Austria[a]	6 February 2007	7 June 2012
Azerbaijan	6 February 2007	
Belgium[a]	6 February 2007	2 June 2011
Belize		14 August 2015[b]
Benin	19 March 2010	
Bolivia (Plurinational State of)	6 February 2007	17 December 2008
Bosnia and Herzegovina[a]	6 February 2007	30 March 2012
Brazil	6 February 2007	29 November 2010
Bulgaria	24 September 2008	
Burkina Faso	6 February 2007	3 December 2009
Burundi	6 February 2007	
Cabo Verde	6 February 2007	
Cambodia		27 June 2013[b]
Cameroon	6 February 2007	
Chad	6 February 2007	
Chile[a]	6 February 2007	8 December 2009
Colombia	27 September 2007	11 July 2012
Comoros	6 February 2007	
Congo	6 February 2007	
Costa Rica	6 February 2007	16 February 2012

Participant	*Signature*	*Accession or ratification*
Croatia	6 February 2007	
Cuba[a]	6 February 2007	2 February 2009
Cyprus	6 February 2007	
Denmark	25 September 2007	
Ecuador[a]	24 May 2007	20 October 2009
Finland	6 February 2007	
France[a]	6 February 2007	23 September 2008
Gabon	25 September 2007	19 January 2011
Germany[a]	26 September 2007	24 September 2009
Ghana	6 February 2007	
Greece	1 October 2008	9 July 2015
Grenada	6 February 2007	
Guatemala	6 February 2007	
Guinea-Bissau	24 September 2013	
Haiti	6 February 2007	
Honduras	6 February 2007	1 April 2008
Iceland	1 October 2008	
India	6 February 2007	
Indonesia	27 September 2010	
Iraq		23 November 2010[b]
Ireland	29 March 2007	
Italy	3 July 2007	8 October 2015
Japan[a]	6 February 2007	23 July 2009
Kazakhstan		27 February 2009[b]
Kenya	6 February 2007	
Lao People's Democratic Republic	29 September 2008	
Lebanon	6 February 2007	
Lesotho	22 September 2010	6 December 2013
Liechtenstein	1 October 2007	

Participant	*Signature*	*Accession or ratification*
Lithuania[a]	6 February 2007	14 August 2013
Luxembourg	6 February 2007	
Madagascar	6 February 2007	
Maldives	6 February 2007	
Mali[a]	6 February 2007	1 July 2009
Malta	6 February 2007	27 March 2015
Mauritania	27 September 2011	3 October 2012
Mexico	6 February 2007	18 March 2008
Monaco	6 February 2007	
Mongolia	6 February 2007	12 February 2015
Montenegro[a]	6 February 2007	20 September 2011
Morocco	6 February 2007	14 May 2013
Mozambique	24 December 2008	
Netherlands[a]	29 April 2008	23 March 2011
Niger	6 February 2007	24 July 2015
Nigeria		27 July 2009[b]
Norway	21 December 2007	
Palau	20 September 2011	
Panama	25 September 2007	24 June 2011
Paraguay	6 February 2007	3 August 2010
Peru		26 September 2012
Poland	25 June 2013	
Portugal[a]	6 February 2007	27 January 2014
Republic of Moldova	6 February 2007	
Romania	3 December 2008	
Samoa	6 February 2007	27 November 2012
Senegal	6 February 2007	11 December 2008
Serbia[a]	6 February 2007	18 May 2011
Sierra Leone	6 February 2007	

Participant	*Signature*	*Accession or ratification*
Slovakia	26 September 2007	15 December 2014
Slovenia	26 September 2007	
Spain[a]	27 September 2007	24 September 2009
Sri Lanka[a]	10 December 2015	25 May 2016
Saint Vincent and the Grenadines	29 March 2010	
Swaziland	25 September 2007	
Sweden	6 February 2007	
Switzerland	19 January 2011	
Thailand	9 January 2012	
The former Yugoslav Republic of Macedonia	6 February 2007	
Togo	27 October 2010	21 July 2014
Tunisia	6 February 2007	29 June 2011
Uganda	6 February 2007	
Ukraine[a]		12 August 2015[b]
United Republic of Tanzania	29 September 2008	
Uruguay[a]	6 February 2007	4 March 2009
Vanuatu	6 February 2007	
Venezuela (Bolivarian Republic of)[a]	21 October 2008	
Zambia	27 September 2010	4 April 2011

[a] States that have made declarations recognizing the competence of the Committee under articles 31 and/or 32 of the Convention. The full text of the declarations and reservations made by States parties is available from http://treaties.un.org.

[b] Accession.